

28<sup>th</sup> day of April 2024

290/AMCOW/ES/2024

Hon Prof Hani Sewilam  
Minister for Water Resources and Irrigation  
Arab Republic of Egypt and AMCOW President

Cc:

1. Excellency João Baptista Borges, AMCOW Vice President-Southern Africa
2. Hon. Zacharia Mwangi Njiru, AMCOW Vice President-Eastern Africa
3. Excellency Samou SEIDOU ADAMBI, AMCOW Vice President-Western Africa
4. Excellency Osvaldo C. V. ABREU, AMCOW Vice President-Central Africa
5. Hon. Sidi Mohamed TALEB AMAR, AMCOW Vice President-Northern Africa
6. Hon. Prof Joseph Terlum Utsev, Permanent Member of EXCO
7. All Members of the Council of Ministers of AMCOW
8. H E Amb Josefa Leonel Sacko, Commissioner for Agriculture, Rural Development and the Blue Economy, African Union Commission

Honourable Minister

**Response to your letter of 26 March 2023 on issues from petitions**

I am writing to respond to issues brought to my attention in your letter of 26 March 2023 as arising from petitions by concerned staff and former members of the Secretariat. I have not had the benefit of seeing the actual petitions. The pertinent provisions of the AMCOW Staff Regulations and Rules (SRR) stipulate that I should have access to “*all relevant documents.*” What I have instead received are interpretations of the contents of the petitions, presented as Annexures 1a and 1b to your letter. This leaves me considerably handicapped in a way that I am confident your Excellency did not intend. This approach means I respond, not to the contents of the petitions but to interpretations of those contents. Given that interpretations vary, from one person to another, in terms of fairness and due process, the approach does seem sub-optimal.

Nonetheless, I take all feedback seriously. I have provided detailed explanations, together with the means of verification to refute the allegations. At the same time, I acknowledge that a thorough response requires a full understanding of the specific claims made against me. Therefore, to ensure that any actions relating to this matter address legitimate concerns, I kindly request further details regarding the nature and specifics of the allegations. Of vital importance is the need to avail information substantiating the claims.

Your indulgence is thus sought, Honourable Minister, to provide the necessary details.

I remain committed to addressing these allegations transparently and thoroughly. Above all, I am fully committed to upholding the integrity and trust of the organisation.

Please accept, Honourable Minister, the assurances of my highest consideration.



Rashid Mbaziira  
**Executive Secretary**

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- 44. **Annexure 5c** – Decisions of the 13<sup>th</sup> General Assembly of Governing Council, held between 13<sup>th</sup> and 15<sup>th</sup> June 2023, which were in turn largely based on Progress Reports diligently submitted to the Council through TAC.....
- 45. **Annexure 5d** – Signed Aide Memoire demonstrating my facilitation of 2-way feedback on AMCOW initiatives, activities and programmes, on continental, sub-regional and country levels.....
- 46. **Annexure 5e** – Signed Aide Memoire of the 13<sup>th</sup> Ordinary Session of the Executive Committee of the Council demonstrating a thorough scrutiny of all reports on AMCOW initiatives, activities and programmes supporting the decisions proposed for the EXCO’s consideration.....
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49. **Annexure 6b** – Email thread of communication with TAC Chair, especially my email of 27<sup>th</sup> July 2023, where I undertook to implement cost cutting to cover budget deficit.....
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58. **Annexure 7g** – Programme of High Level Stakeholder Engagement on Transboundary Water Resources Management in Africa, held in Kampala Uganda and in which I was speaker on 23<sup>rd</sup> May 2023.....
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60. **Annexure 7h1** – My email of 23<sup>rd</sup> December 2023 to Director Corporate Services and Director Programmes, informing them of plans to work over Christmas break on key engagements; I also confirmed intention to personally cover some of the travel costs related to Botswana and Uganda .....
61. **Annexure 7i** – Email thread regarding supply of solar equipment by Dubai merchant. Thread shows I was able to leverage my Dubai residency to skirt travel bans which affected AMCOW CSO (a Nigerian National) and to resolve the matter timeously, with no cost to Secretariat beyond flight tickets.....

- 62. **Annexure 7j** – *Email thread, which along with mails in 7i showed that AMOW CSO was fully involved and even led procurement of the solar equipment and my involvement was limited to resolving the impasse around delivery; notably all my emails to the supplier were copied to the entire corporate services team.....*
- 63. **Annexure 7l, 7m and 7n** – *Letters exchanged with Nigerian Ministry of Water Resources; Emails exchanged with AMCOW CSO and Market Survey of suitable properties; all of which belie the narrative in the petition. As noted in my letter of 12<sup>th</sup> January 2024, (on 3<sup>rd</sup> page of Annexure 7l) the approved Rent of N9 million, at current exchange rate, is \$9,500.00 USD; whereas, given exchange rate at the time of entering the premises in 2021, the N9 million rent was \$22,000.00 USD.....*
- 64. **Annexure 7o** – *Headquarters Agreement between Federal Republic of Nigeria and AMCOW*

**Documents Supporting My Response to Complaint 8**

- 65. **Annexure 8a** – *Email Exchange with a Policy Officer in Germany, sharing the opportunity with AMCOW and specifically requesting AMCOW to encourage African countries to suggest suitable candidates for the UN role of Special Envoy for Water.....*
- 66. **Annexure 8b** – *Debriefing Note circulated to all member States following 37<sup>th</sup> Ordinary Session the AU General Assembly*

**Documents Supporting My Response to Complaint 9**

- 67. **Annexure 9a** – *Aide Memoir of the AMCOW East African Regional Ministerial Committee Meeting held 4<sup>th</sup> – 5<sup>th</sup> August 2022 in Addis Ababa.....*
- 68. **Annexure 9b** – *Aide Memoir of AMCOW East Africa Regional Ministerial Committee and Technical Experts Meeting of 6<sup>th</sup> – 7<sup>th</sup> September 2023.....*

## **1.0. Strained Relationships with key Strategic Partners**

### **1.1. Sanitation and Water for All (SW)**

*c) That this relationship was cordial until November 2021 when you assumed Office and unilaterally terminated the agreement*

*d) That the SWA Africa Regional Coordinator is now hosted by GWP Southern Africa*

**1.1.1.** First, the Memorandum of Understanding between AMCOW and Sanitation and Water for All (SWA) expired in June 2021, predating my current tenure. **See Annex 1a.**

**1.1.2.** Secondly, the CEO of SWA expressed a desire to conduct a micro-assessment of AMCOW's systems as a prerequisite to the hosting agreement for the Regional Coordinator. However, due to the expired MoU, there was no legal framework in place for such an assessment, prompting the recommendation to finalise an MoU or engagement plan beforehand. The CEO of SWA, therefore, suggested a temporary solution for hosting the coordinator, until the engagement planning process was completed as indicated in her email dated 1<sup>st</sup> November 2021. **See Annex 1b.**

In our exchanges, the CEO SWA is on record sharing her opinion that the approach was "very logical, understandable and reasonable"

### **1.2. Global Water Partnership (GWP)**

*b) That AMCOW together with the AUC, AfDB, Africa Water Facility, AUDA-NEPAD and GWP are the founders of the AIP through Council Decision GA/11I2018/LBV/5.*

*d) That AMCOW had been an active member of the IHLP until November 2021 when you misinformed the then AMCOW President, H.E Carl Gustav Schlettwein about the AIP and IHLP and discouraged him from attending the high-level meetings of the IHLP which culminated into the withdrawal of AMCOW from IHLP event co-convened with GWP at the World Water Week in Stockholm in August 2022.*

*e) That EXCO endorsed AMCOW's leadership in setting up the IHLP in collaboration with UNDP, UNICEF, AUDA-NEPAD, GCA and AfDB and further took note of the nomination of H.E Hage Geingob as a Co-Chair of the IHLP (EXCO's 2nd Extra-Ordinary Session Decision: EOIEXCO/212021/WDH/4*

*f) That feeding the AMCOW President with wrong information, is at the least very unethical and calls into question your integrity.*

**1.2.1.** First, the assertion in para 1.2.b) of your letter is misleading. AMCOW, AUC, AfDB, AWF and AUDA-NEPAD are not the founders of the Africa Water Investment Programme (AIP) through Council Decision GA/11/2018/LBV/5. Council Decision GA/11I2018/LBV/5 merely acknowledges the collaborative efforts of various partners in achieving the objectives of the AIP and affirms support for the partnership. It does not

designate these entities as founders. *See Annex 1c – being the decisions of the 11<sup>th</sup> ordinary session of the General Assembly.*

**1.2.3.** The accusation of para 1.2.d) of your letter overlooks the underlying issue of the AIP Secretariat's failure to fulfil its obligations to various supporting partners, including AMCOW. Requests for the information necessary for reporting and decision-making purposes were met with non-responsiveness, undermining effective collaboration and transparency. Specifically, for AMCOW, the Office of the President of Namibia sought confirmation on whether the other Heads of State and Government on the High-level Panel were consulted. Further, if they would positively respond to a formal invitation to participate in the panel. However, such information was never provided. *See Annex 1d being a mail thread in which AfDB offers advice on the AIP Secretariat's approach.*

**1.2.4.** As of September 2022, the information the Office of the President of Namibia had requested for from the AIP Secretariat was still outstanding. This is noted in the instructions from the office of the AMCOW President in response to an invitation for H E President Hage Geingob to speak at an event at the UN General Assembly. *See Annex 1e – being a direct request from the then acting AMCOW ES – and Annex 1f being the instructions from the AMCOW President's office.*

**1.2.5.** Consequently, the Office of the AMCOW President operating under the authority bestowed upon them by their Head of State, conditioned the involvement of the AMCOW President in AIP activities. The condition was to provide the information requested by the President of Namibia. Therefore, the accusation that misinformation led to the disengagement of the AMCOW President from AIP activities is unfounded. The non-responsiveness of the AIP Secretariat to direct requests for information led to the President questioning their commitment to involve AMCOW and his Head of State in the programme. Consequently this doubt resulted in the absence of H E President Geingob's from all AIP High-Level panel events, despite his official designation as Co-Chair.

**1.2.6.** Moreover, notwithstanding the aforementioned, AMCOW did not withdraw from the IHLP event at the World Water Week in August 2022 in Stockholm. The President of AMCOW, Hon Carl-Hermann Gustav Schlettwein, delivered a speech at the gathering in his capacity as the AMCOW president. *See Annex 1h* for the talking points I prepared for the AMCOW President for the event. Hence, it is inconceivable for AMCOW to withdraw from an event while simultaneously having its President address the same occasion in that capacity.

**1.2.7.** In any event, I have closely and carefully read Paragraph 1.2 of your letter and its 6 sub paragraphs (a) – (f) where this allegation is presented. I am unable to find a single reference to any statements I purportedly made to Hon Schlettwein in his capacity as AMCOW President, which were false, misleading or wrong. No Statement by me is even reported or indicated, to which truth or falsehood could be ascribed. Neither is it implied that the members of staff of the office of Hon Schlettwein are contributors to the petitions to have provided first-hand accounts of the alleged misinformation on my part. Otherwise, this process risks the ignominy of hearsay and rumour mongering.

**1.2.8.** This allegation, in my view, has no basis. It is practically impossible for me to respond to an allegation that I made false statements, without an idea of the statements I am supposed to have made. It is said that I gave wrong information, yet the information is not stated, described or even hinted at. The allegation is vague. It clearly does not express or even reveal any genuine act of misconduct on my part.

**1.2.9.** Without the benefit of a record of any actual misstatement or misinformation, uttered or expressed by me, to Hon Schlettwein – or indeed any other person – what is the basis for impugning my integrity?

**1.2.10.** I wish to state clearly and without qualification, that I did not at any time, in any way, shape or form, misinform the former AMCOW President, as falsely alleged or at all. Hon Schlettwein's long and impeccable record of service to the people and Republic of Namibia cannot have been possible without surrounding himself with a team that fact checks information he receives. To this date, my communications to him are still channelled through that team. There are no indications that they have ever failed him in ascertaining the veracity of the information reaching him, not the least from me.

### **1.3. African Union Commission (AUC)**

*d) That the sour relationship between AMCOW and AUC became evident through AUC's absence in events and meetings organised by AMCOW*

*f) That the Commissioner of Rural Economy and Agriculture (the anchor Commission of AMCOW at the AUC), Her Excellency Josefa Leonel Sacko has never attended any of the High-level meetings convened by AMCOW since you took over Office except a pre-recorded goodwill message during the 13th EXCO in Windhoek, Namibia in October 2022*

**1.3.1.** Throughout my tenure I have maintained a steadfast commitment to nurturing and enhancing the organizations foundational principles. Efforts to maintain and enhance our relationship with the AUC have been ongoing. Despite any challenges encountered, there have been numerous instances of engagement and collaboration between AMCOW and the AUC. As the anchor of AMCOW to the policy organs of the African Union, the office of H E the Commissioner for Agriculture, Rural Development and the Blue Economy (ComARBE) has provided stellar leadership to the Secretariat during my tenure.

**1.3.2.** During my tenure there have been six high-level events at which Her Excellency's presence was anticipated. She has attended and/or sent a representative to five of them. Her Excellency the Commissioner has only not attended nor sent a representative to the 13<sup>th</sup> Ordinary Session of the General Assembly in June 2023 in Cairo, Arab Republic of Egypt.

**1.3.3.** Additionally, the assertion that Her Excellency the Commissioner sent a pre-recorded message during the 13<sup>th</sup> ordinary session of the Executive Committee of AMCOW is false. The chair of that session, Hon Carl Herman Gustav Schlettwein, and other Council Members in attendance will recall that the opening session had to be delayed by about an hour to allow for Her Excellency to connect virtually to deliver her address.

**1.3.4.** Indeed, the same assertion misrepresents Her Excellency the Commissioner's level of engagement and commitment to AMCOW activities.

*Table 1 below illustrates the falsehood of the allegations.*

	<b>Date</b>	<b>Event</b>	<b>Venue</b>	<b>Representation</b>	<b>Additional information</b>
1	21-26 Nov 2021	6 <sup>th</sup> AfricaSan Conference and 8 <sup>th</sup> Africa Water Week	Virtual	Statement during opening ceremony for H E Amb Josefa L Sacko, Commissioner for Agriculture, Rural Development and Blue Economy (ARBE) o	See <a href="https://tinyurl.com/AWSWOpeningPlenary">https://tinyurl.com/AWSWOpeningPlenary</a>
2	22-27 Mar 2022	AMCOW @20 Commemoration during the 9 <sup>th</sup> World Water Forum	Dakar, Senegal	the AUC Delegation was led by H E Amb Fathallah Sijilmassi the Director General of the Commission	see <a href="https://knowledgehub.amcow-online.org/resource/briefing-note-amcow-events-at-the-9th-world-water-in-dakar">https://knowledgehub.amcow-online.org/resource/briefing-note-amcow-events-at-the-9th-world-water-in-dakar</a>
3	2-3 Oct. 2022	3rd Meeting of the African Water and Sanitation Sector Partners Coordination Platform (PCP)	Addis Ababa, Ethiopia	Meeting hosted by H E the Commissioner ARBE	
4	10-13 Oct 2022	13 <sup>th</sup> Ordinary Session of the Executive Committee of AMCOW	Windhoek, Namibia	H E Amb Josefa L Sacko gave a live keynote address during the opening of the 13 <sup>th</sup> Ordinary Session of the Executive Committee meeting in October 2022 in Windhoek, Namibia. The Director Sustainable Environment and Blue Economy guided the meeting of the Technical Advisory Committee	
5	22-24 Mar 2023	UN 2023 Water Conference	New York, USA	H E Amb Josefa L Sacko led the AUC delegation to nearly all AMCOW engagements	See : <a href="https://knowledgehub.amcow-online.org/resource/briefing-note-on-amcows-activities-at-the-un-2023-water-conference">https://knowledgehub.amcow-online.org/resource/briefing-note-on-amcows-activities-at-the-un-2023-water-conference</a>
6	13-15 Jun 2023	13 <sup>th</sup> Ordinary Session of the AMCOW General Assembly	Cairo, Egypt	Not represented	
7	2-3 Oct 2023	4 <sup>th</sup> Meeting of the African Water and Sanitation Sector Partners Coordination Platform (PCP)	Addis Ababa, Ethiopia	Meeting hosted by H E the Commissioner ARBE	
7	6-11 Nov 2023	7 <sup>th</sup> Edition of the Africa Sanitation Conference (AfricaSan 7)	Swakopmund, Namibia	AUC Delegation led by the Director SEBE Her Excellency Josefa Leonel Sacko was presented with AfricaSan Leadership Award	<a href="https://twitter.com/JosefaSacko/status/1722938536037335365">https://twitter.com/JosefaSacko/status/1722938536037335365</a>

	Date	Event	Venue	Representation	Additional information
				during the AfricaSan7 in Swakopmund. And provided a recorded message accepting the award which was received on her behalf by Director SEBE. She also tweeted indicating that she was grateful for the recognition.	
8	4-6 Mar 2024	Africa Regional Preparatory Process for the 10 <sup>th</sup> World Water Forum (WWF10)	Nairobi, Kenya	Not Represented, the meeting was a technical level consultation. The only ministerial level participation was from the AMCOW VP for Eastern Africa who opened the meeting.	
9	27-28 Mar 2024	Joint AUC-AfDB-AMCOW annual planning meeting and WWF10 preparations	Addis Ababa, Ethiopia	Technical meeting hosted by the Director SEBE	

**1.3.5.** Apart from that, under my leadership, AMCOW – for the first time since 2014 – influenced the decisions of a Summit of the African Union. In partial implementation of AMCOW Decision GA/13/2023/CA1/1 on the 2022 Water and Sanitation Sector Monitoring (WASSMO) report, AMCOW’s proposed a water theme for the African Union in 2026. As such, our desired outcome from the 37<sup>th</sup> Ordinary Session of the Assembly of the African Union in February 2024 was for the adoption of **“Assuring Sustainable Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda”** as the theme of the African Union in 2026. This was approved by the AU Executive Council Decision EX.CL/Dec.2(XLIV)Rev.1/42. *See Annex Ii being the decisions of the 44<sup>th</sup> Ordinary Session of the Executive Council of the African Union.* Looking ahead, the stage is now set for AMCOW to present the post-2025 Africa Water Vision for consideration by the AU Assembly at its 39<sup>th</sup> Ordinary Session in February 2026. Other decisions include:

- i. Decision EX.CL/Dec.2(XLIV) Rev.1/31 of the Executive Council of the African Union endorsing: a) the *2022 Annual Report of the Commission on the July 2008 Assembly Declaration regarding the Sharm el-Sheikh Commitments for Accelerating the Achievement of Water and Sanitation Goals in Africa, as per Assembly Decision (Assembly/AU/Decl.1 (XI))* – the 2022 WASSMO report; and, b) the Swakopmund Declaration on *“Accelerated Action for Inclusive, Sustainable, Resilient and Safely Managed Sanitation and Hygiene Services Delivery in Africa”*.
- ii. Decision EX.CL/Dec.2(XLIV)Rev.1/39: urging AUC to a) develop an African Water Policy that provide a strategic framework towards inclusive and climate resilient water security in the continent; and b) AMCOW to further strengthen the Partners Coordination Platform (PCP)

**1.3.6.** As such, there has been active engagement between the AMCOW Secretariat and the AUC under my tenure as the ES of the organisation.

*g) That the strained relationship with the AUC has contributed a lot to the failure of AMCOW to submit the annual WASSMO Reports to the AU General Assembly and that in fact, last year you attempted to sneak the 2021 WASSMO report to the AU General Assembly through a Member State sponsored agenda, bypassing the normal channel of submitting the report through the Specialised Technical Committee (STC).*

1.3.7. The assertion that, as the ES, I attempted to surreptitiously present the 2021 WASSMO report to the AU Assembly is a distortion of the facts.

1.3.8. First, the Council Decision EXCO/13/2022/WDH/5 endorsed the declaration of the 9<sup>th</sup> World Water Forum – *the Blue Deal for Water Security and Sanitation for Peace and Development* – as Africa’s Common Position. Subsequently, the Council, through the AMCOW President, appealed to the Republic of Senegal to escalate the endorsement to the AU Assembly during its 36<sup>th</sup> Ordinary Session in February 2022. *Refer to Annex 1j – being decisions of the 13<sup>th</sup> AMCOW EXCO; and Annex 1k the AMCOW President’s letter to Senegal.*

1.3.9. It was the 2022 WASSMO report, not the 2021 version, that was utilised to furnish information on Member States' progress towards achievement of water and sanitation goals in Africa. That report and its recommendations were eventually endorsed by the African Union through AU Executive Council Decision EX.CL/Dec.2(XLIV)Rev.1/31. The 2021 WASSMO report provided the basis for Africa’s key messages to the UN 2023 Water Conference. These were the outcome from the Africa Regional consultations on the mid-term review of the UN Water Action Decade 2018 – 2028.

1.3.10. It is against the background of the foregoing that the Republic of Senegal referenced the 2021 WASSMO report in her submission to the African Union.

1.3.11. Furthermore, it is my duty to highlight that commitment (q) of the Sharm el-Sheikh Declaration – **Annex 1m** – stipulates that AMCOW should report **annually** to the Assembly on progress on implementation of the commitments of the Heads of State and Government of the African Union. On the other hand, the meetings of the Specialised Technical Committee on Agriculture, Rural Development, Blue Economy, Water and Environment (STC on ARBWE) are **biennial**.

1.3.12 Given the context of this petition, it is my understanding that a complaint/petition must be rooted in specific acts or omissions on my part, that amount to actual misconduct. That is acts or omissions that violate AMCOW Governance Framework, Code of Conduct and Ethics, or Staff Regulations amongst others. The allegation that Her Excellency ComARBE has never attended any of the high-level meetings convened by AMCOW since I took office:

- i. is, as I have demonstrated above, false; and,
- ii. does not relate to nor is it rooted in any aspects of the AMCOW Governance Framework, Code of Conduct and Ethics or Staff Regulations.

1.3.13 It should not, therefore, form the basis of an allegation of misconduct or sustain legitimate disciplinary proceedings.

**1.3.14** More specifically, this allegation, or anything similar, is not even remotely connected to any of the acts or omissions constituting misconduct, classified in **Paragraph 55.1 (a) – (z) and (aa)** in the **Staff Regulations and Rules**. That the interpretation of the alleged petitions nevertheless includes it in Annex 1.a) of your letter creates the impression of an attempt to besmirch my reputation. The determination to pin liability or paint misconduct, regardless of correct factual context or appropriate legal position is unmistakable.-

**1.3.15.** For the record, since my taking office, AMCOW’s relationship with the AUC has been closer and stronger. The 37<sup>th</sup> AU Assembly decisions above – which endorse and adopt plans, programmes, themes and policy thrusts promoted by the AMCOW Secretariat – are, in my respectful view:

- i. a clear indication that AMCOW, under my leadership, is actively engaging with the AUC; and,
- ii. ensuring seamless integration of AMCOW’s structures and organs into the activities of the AUC.

**1.3.16.** It is my understanding that this is precisely what Council Decision GA/10/2016/DAR/4, referenced in Paragraph 1.3 (a) of your letter contemplates. By that Decision, and to quote in pertinent part, AMCOW was expected to: *“Actively engage the Commission of the AU to ensure seamless integration [of the organs and structures of AMCOW] into the activities of the Commission...”*

**1.3.17.** Without prejudice to my earlier response questioning the incorrect imposition and or imputation that it is misconduct on my part if H E ComARBE – for reasons only she may know – chooses not to attend an AMCOW event, I state in specific reaction, that it is utterly false to say that AMCOW, under my leadership, has failed to engage AUC political leadership, in AMCOW’s events, meetings (statutory or otherwise) and conferences.

**1.3.18.** The interpretation of the alleged petitions provides no proof of receipt of any communication from H E ComARBE to the effect:

- i. that she has intentionally been absent from any number of AMCOW high-level meetings; and,
- ii. that those absences – in their entirety or part thereof – are attributable to me.

**1.3.19.** In the absence of such information, the impression is further consolidated that the claims rest merely on speculation. They are totally unfounded as my factual account above shows.

**1.3.20.** That this speculation has been disguised as a fact and presented as a valid complaint, is further proof that this petition lacks reasonable basis.

**1.3.21** Regarding the reference in paragraph 1.3(g) of your Letter, to the 2021 WASSMO Report, I wish to state clearly and without qualification, that I have never at any time, and in any way, shape or form, attempted to bypass or circumvent official communication channels in receiving, sending or otherwise handling reports. It is not true that I attempted to “sneak the

2021 WASSMO Report to the AU General Assembly, through a member state sponsored agenda”, or at all.

#### **1.4. Executive arrogance when dealing with AMCOW’s key Contact persons from Development Partners**

*a) That AMCOWs relationship with its longstanding Development Partners such as Bill and Mellinda Gates Foundation (BMGF), Swedish International Development Cooperation Agency (SIDA) and the United States Agency for International development (USAID) is deteriorating each passing day due to your style of communication with the key contact persons at these Agencies. That the tone of most of your emails is derogatory and very undiplomatic.*

*b) That as a result of this, most of these Development Partners have lost confidence and trust in AMCOW and that AMCOW is slowly losing its position as the respected and most influential voice in the Water and Sanitation Sector in Africa.*

**1.4.1.** First – in a pattern similar to the other allegations – no instance of my attitude to, or interaction with these development partners is offered as an example of the “executive arrogance”.

**1.4.2.** Second, not a single contact person at any of the development partners is named as contributing to this petition, which in itself would be problematic on how they qualify as staff of the Secretariat. In the least, the interpretation of the alleged petitions should have offered an email communication or letter from me to any of the partners to be subjected to the test of establishing a “*derogatory or undiplomatic*” tone. Better still, an objection from a contact at the partners to the tone of my communication to them would have put this allegation in credible standing.

**1.4.3** Third, I fail to discern the fairness in a readiness to subject me to disciplinary proceedings, over an allegation that is not backed by any facts of my communication or attitude, capable of being interpreted or even viewed as “executive arrogance”.

**1.4.4.** Fourth, Rule 55 of the AMCOW Staff Regulations and Rules – *see Annex 2s* - detailing “*Acts of Misconduct*”, which may trigger disciplinary proceedings, does not, even remotely, cover this particular allegation. Beyond all this, and as I demonstrate below, *via* actual emails exchanged with these development partners, this allegation is completely false. By contrast, though, making “*(v) wilful, unfounded allegations or defamation against other staff members*” is an act of misconduct.

**1.4.5.** I wish to state clearly and without qualification, that I have not at any time, in any way, shape or form, communicated with or behaved towards any of AMCOW’s development partners (generally or their key contact persons, particularly) , in the manner described in your letter i.e. with arrogance or with a derogatory or undiplomatic tone. My conversations with them and my conduct towards them, have always been characterised by professional courtesy, due deference and kind consideration. I have given them no reason to doubt the value AMCOW places on our relationship and the esteem with which AMCOW holds their persons.

Contrary to the erroneous allusions in the petitions, their interest in AMCOW has grown stronger, rather than waned. Their support is far more robust and in no way enfeebled. The facts in the paragraphs that follow substantiate this.

**1.4.6.** AMCOW has experienced a period of revitalised confidence and strengthened relationships with Member States and funding partners under my tenure. Since my appointment as the ES:

- i. development partners' contributions to the Secretariat's budget have grown by nearly 600%. We have successfully mobilized USD18.36 million from funding partners, a substantial increase from USD3.18 million during a similar period preceding my appointment. Apart from that, AMCOW's funding portfolio reflects a diverse range of partners and sources, including contributions from esteemed organizations such as the Swedish International Development Cooperation Agency (SIDA), the Bill and Melinda Gates Foundation (BMGF), the United States Agency for International Development (USAID), the European Commission, the Global Environment Facility, the African Development Bank, and others.
- ii. the Member State's financial commitment to AMCOW has doubled from USD0.75 million to USD1.47 million since my appointment, reflecting a strengthened partnership and alignment with AMCOW's objectives.

**1.4.7.** Moreover, AMCOW has demonstrated financial resilience and sustainability through surplus revenue generation from conferences and events.

- i. the 7<sup>th</sup> African Sanitation Conference in 2023 in Namibia generated a surplus revenue of USD0.34 million, marking a remarkable 425% growth from the surplus realised at AfricaSan 5.
- ii. similarly, the virtual Africa Water and Sanitation Week in November 2021 generated a surplus revenue of USD0.11 million.

**1.4.8.** Furthermore, funding partners have joined hands with AMCOW to operationalise the AMCOW Pool Fund for Staff Costs. This addresses the challenge of limited continuity in the execution of programme activities and or staffing at the end of project cycles. Operating the fund has resulted in a shift from staffing arrangements tied to positions defined in projects, to implementing an organogram financed from one pool of resources. This approach represents a deliberate move towards a staffing model focused on sustainability and results-based management to improve the relevance of AMCOW to the Member States and our partners. It is clear that during my leadership, AMCOW's engagement with funding and implementing development partners has not only been maintained but has actually grown.

***c) That rumours are making rounds amongst the Development Partners that they would now rather deal directly with the AUC than AMCOW in their programming to support the Water and Sanitation Sector in Africa.***

**1.4.9.** It is impossible for me to address unverified information. However, the funding agreements mentioned in the foregoing not only demonstrate increased resource allocation to

AMCOW's Secretariat by our Member States and funding partners but also indicate direct dealings with AMCOW by these partners.

***d) That the first phase of the Institutional Strengthening and Support project which was funded by SIDA came to an end in March 2023 and up to now contract negotiations for the second phase of the project which was already on the cards have not yet been finalised mainly due to your poor engagement with the Development Partner.***

**1.4.10.** The delay in finalising the contract negotiations for the second phase of the Institutional Strengthening and Support project was not due to poor engagement with the Development partner. On the contrary, significant progress has been made in securing funding and advancing collaborative initiatives to support AMCOW's objectives.

- i. In March, 2023, during the UN 2023 Conference, a pivotal commitment of funding support was made to AMCOW by the European Commission. This would be facilitated through the Governments of Germany and Sweden, under the auspices of the Team Europe Initiative on Transboundary Water Management (TEI-TWM). The arrangement is also known as the ***Blue Africa Initiative***.
- ii. This marked a significant milestone in an inclusive consultative process that began in March 2022 at the 9<sup>th</sup> World Water Forum and led to the adoption of Council Decision EXCO/13/2022/WDH/14. In that decision, EXCO took note of the Team Europe Initiative to support water security in Africa and cross-sectoral achievement of AU Agenda 2063: the Africa We Want. ***See Annex 1j being decisions of the 13<sup>th</sup> EXCO.***
- iii. To ensure the full participation of all Member States, a second round of consultations was carried out to gather feedback on the draft project document. ***See Annex 1n being the communication to TAC and TEC members to review and comment on the Action Document.***
- iv. Thereafter, comments were submitted to the European Commission on 2<sup>nd</sup> May, 2023, leading to the European Commission sharing the revised project document and their responses by 11<sup>th</sup> August, 2023. In the European Commission's response, it is stated that they had incorporated AMCOW's comments into the revised Action Document. ***See Annex 1o being the email to the AMCOW President from the EC and Annex 1p being a comments response from representatives of the Commission.***
- v. The negotiations are progressing positively, as evidenced by the ongoing discussions outlined in ***Annexes 1q and 1r.*** They detail the status of the financing agreement with the European Commission and the Government of Germany through GIZ, as well as the negotiation updates with SIDA.

**1.4.11.** In light of these developments, it is evident that AMCOW remains committed to fostering partnerships and securing necessary resources to advance its mission.

**1.4.12.** Therefore, any assertions suggesting lack of engagement with development partners are unfounded and do not accurately reflect the proactive efforts I have undertaken to ensure the short-term financial stability of the Secretariat, as well as assuring the long-term financial sustainability of AMCOW.

## 2.0. Unprocedural termination of Staff Contracts

*a) That it is on record that a total of 4 Staff Contracts (Ms Maimouna Tall-Senegalese, Mr Kitchinme Bawa-Nigerian, Ms Jeniffer Mbama-Nigerian and Prof Tijani Moshood-Nigerian) were terminated within the first 9 months of your ascension into Office.*

*b) That all these Contracts were terminated without the required notice period of 3 months as stipulated in Staff Rules and Regulations (Staff Rule 65.3)*

2.1. It is imperative to clarify that due process was diligently followed in each case. Each decision was made with the best interests of the organisation in mind. In addition, they were after thorough consideration of performance adherence to organisational values and contractual obligations. The expiry dates of these contracts, specifically on 31<sup>st</sup> March, 2022, were executed in compliance with the **Rule 63.3 of the AMCOW Staff Regulations and Rules 2017 Edition (Now Rule 65.3 of the AMCOW Staff Regulations and Rules 4<sup>th</sup> Edition, 2022)** by giving employee a notice period of 3 months. **See Annex 2d being notification of expiry of contracts dated 2 December 2021.** Therefore, it is clear that the conclusion of these contracts was conducted within the parameters of the established rules and regulations governing employment within AMCOW. Any suggestion of non-compliance with the notice period requirement is unfounded and lacks merit.

2.2. It is also imperative to clarify that Ms.Maimouna Tall's legal action against AMCOW stemmed from her termination due to the end of project funding for her position. However, as already stated above, her termination was executed in accordance with contractual obligations and project timelines. Evidence demonstrates that:

- i. She was duly served notice on 2<sup>nd</sup> December 2021, effective 31<sup>st</sup> March, 2022. **See Annex 2f being Ms Tall's notification of contract expiry.**
- ii. Additionally, Ms. Tall herself submitted a notice of resignation on 2<sup>nd</sup> February, 2022, effective 28<sup>th</sup> February, 2022 indicating a voluntary decision to resign. **See Annex 2g being Ms Tall's unexpected resignation letter.**
- iii. As if that was not enough, on 8<sup>th</sup> February, 2022, she issued a further notice advancing her last day of work, while also presenting unsubstantiated claims. see **Annex 2h being Ms Talls letter changing the effective date of her resignation.** and our corresponding response in **Annex 2i.**
- iv. However, during the same timeframe, as the Communications and Visibility Officer, Ms. Tall, illicitly took control of the Secretariat's social media platforms including Twitter, Instagram, Facebook, LinkedIn and MailChimp. **See Annex 2j being a report from the IT officer detailing Ms Tall's cyber attack.**
- v. It was at this point that, her legal representatives issued a demand letter insisting on unwarranted entitlements to be settled within 7 days, including pension benefits, despite the absence of such a scheme at AMCOW. **See Annex 2k being the demand letter from Ms Tall's solicitor making demands for unwarranted payments.**
- vi. And when the matter proceeded to Court, the claims presented in Court shifted from contractual obligations to seeking damages and compensation for unsubstantiated

allegations. The Secretariat diligently addressed all claims and objections were raised asserting jurisdictional grounds.

- vii. Therefore, Ms. Tall's legal action against AMCOW appeared to have been driven by motives other than a genuine pursuit of justice.
- viii. The Secretariat's actions were driven and guided by adherence to contractual obligations, ethical standards, and the pursuit of organisational integrity.

*c) That as a result of these irrational firing decisions, one of the former employees-Ms Maimouna Tall took AMCOW to Court and that this was the first time that AM COW has been taken to court since its inception.*

*d) That you did not inform the AM COW President through the TAC Chair about the case and decided to sweep it under the carpet*

*e) That you unilaterally appointed a Lawyer to represent you and AMCOW in Court without the knowledge of those charged with Governance.*

2.4. Both the office of the AMCOW President and the Vice President for West Africa and Host Country were duly informed and appraised of the situation. This communication was conducted in accordance with the established protocols. *See Annexes 2l, 2m and 2n being a letter to the AMCOW President (Annex 2l) conveying information on the suit.* Moreover, the risk assessment conducted regarding the case concluded that the potential risk to AMCOW was minimal and this assessment was based on thorough evaluation and consideration of all pertinent factors surrounding the legal matter.

2.5. Engaging the services of a Legal Counsel for the AMCOW Secretariat constitutes one of the outcomes of the Phase 1 of the Institutional Strengthening Project, funded by SIDA. The execution of such a project task is typically regarded as a standard administrative procedure within the Secretariat as per the stipulates of *Section 3.5 of the Governance Framework*, hence the reason why the Lawyer was appointed by the Secretariat.

2.6. Be that as it may, I reiterate that the AMCOW President was briefed on the matter, specifically regarding the engagement of legal representation to protect AMCOW's reputation.

2.7. Although Mr. Kitchinme Bawa and Ms. Jenniffer Mbama submitted petitions to the AUC; and Members of the TAC to review my decision to terminate their contracts, it is essential to note that due process was observed. They were both provided with notice in compliance with **Rule 63.3 of the 2017 Staff Regulations and Rules**. Furthermore, **Rule 31.2(ii)** specifies that fixed-term appointments do not imply automatic renewal. Thus, it is evident that the conclusion of these contracts was conducted within the parameters of the established rules and regulations governing employment within AMCOW. Any suggestion of non-compliance with the notice period requirement is unfounded and lacks merit.

2.8. That AMCOW was sued, by an obviously disgruntled former staff, is not – under the Staff Regulations – evidence of misconduct on my part. What would have been misconduct, would have been a failure, in my capacity as ES, to take necessary steps to have AMCOW's interests defended.

The decision to engage the services of a competent solicitor is indicative of me fulfilling my obligations.

**2.9.** To reiterate, **Rule 55.1 (n) of the Staff Regulations and Rules**, negligence or an omission to act, which causes financial loss to the Secretariat's property or reputation, amounts to misconduct. Ironically, my decision to challenge Ms Maimouna Tall's spurious claims (against AMCOW and even myself as a 2<sup>nd</sup> Defendant) and prevent a potentially unjustified award of damages against AMCOW, has now been taken up, distorted and misrepresented as misconduct, justifying disciplinary proceedings.

**2.10.** As Executive Secretary, my management of the day-to-day operations of AMCOW Secretariat, (as stipulated in **Clause 2 of Appendix 1** of my Contract of Employment) extends to decisions regarding procurement needs, whether related to goods or services. Neither the Staff Regulations, nor the Governance Framework document, stipulate that such decisions about procurement needs, must be subject to approval of the AMCOW President or the Governing Council.

**2.11.** Indeed, this cannot be the case, as it would clearly entail the Governing Council or the AMCOW President, engaging in day-to-day-management of the Secretariat's operations. It is my understanding that the decision to procure legal services for the benefit of AMCOW and even myself as a co-defendant, was not different from any other procurement decision and, therefore, did not require the prior approval of the Governing Council or the AMCOW President.

### **3.0. Unprocedural and Questionable hiring of Staff**

#### **3.1. Recruitment of Director of Programmes (DP)**

*a) That the recruitment process for the Director of Programmes position started in late 2021 and then was discontinued for the whole of 2022 and re-initiated in 2023.*

*b) That against a professional advice to re-advertise the position since the process had been halted for more than a year, you decided to re-initiate the recruitment process using the Shortlist that was evaluated in January 2022.*

*c) That even with this Shortlist report, a biased assessment towards a favourite candidate was obvious where you eliminated one of the strong candidates in the person of Dr Elizabeth Wamera based on flimsy reasons that she did not show respect to AMCOW in one of her emails.*

**3.1.1.** The process followed to recruit the Director of Programmes was as outlined under **Rule 26.1 and 26.3. of the Staff Regulations and Rules -Annex 2s.**

- i. A vacancy notice was published containing a clear job description, minimum qualifications, and other essential details.
- ii. Whereas the recruitment process for the Director of Programmes commenced in 2021 and concluded in 2023, it was in compliance with the provisions of the Staff Rules and Regulations.

- iii. At no point was the process discontinued or halted as is being claimed. Rather, as detailed in the Recruitment Report of the Director of Programmes, a delay in concluding the selection process was necessitated by the need to finalise negotiations with Development Partners on the establishment of Staff Costs Pool Fund.
- iv. I established the AMCOW Pool Fund for Staff costs to finance salaries and related staff costs and thus address a chronic problem at the AMCOW Secretariat since 2011 of inability to retain project-recruited staff and ensure continuity in the execution of programme activities at the end of project cycles.
- v. Negotiations took longer than anticipated for our funding partners to give no objections to pooling their resources to finance implementation of the Secretariat organogram as approved by Council Decision EXCO/13/2022/WDH/9. The approved organogram represents a paradigm shift from staffing arrangements tied to positions defined in projects which would in turn automatically terminate at the end of the projects.
- vi. In addition, the Council's approval of the organogram and the Pool Fund in decision EXCO/13/2022/WDH/9 stipulated that the operationalization of these initiatives would be subject to the availability of sustainable funding for the duration of any new and existing employment contracts for activated positions. **See Annex 3a and 3b.** The selection process was concluded as soon as this condition of Council Decision EXCO/13/2022/WDH/9 was met.

**3.1.2.** The recruitment process up to the point of waiting on no-objections from funding partners to meet the sustainable funding stipulation of the Council were conducted in accordance with the provisions outlined in ***Rule 26 of the Staff Regulations and Rules as mentioned above.*** To reiterate, the selection process was never discontinued or halted but rather delayed by a longer than anticipated negotiation period to secure sustainable funding for the position. Therefore, contrary to the non-elaborated and unsubstantiated claim of proceeding against professional advice to re-advertise the position, all relevant stipulations were adhered to as required.

**3.1.3.** Additionally, Rule 26 of said Staff Regulations and Rules does not stipulate a time limit for recruitment processes.

**3.1.4.** During the recruitment process, as candidates progressed through the stages outlined in Rule 26 of the Staff Regulations and Rules, the internal Secretariat Review Committee screened a total of 18 applicants out of 30 who scored 65% and above to proceed to the written test for further evaluation. Dr. Elizabeth Wamera as a potential candidate to lead the programmes team at the Secretariat was determined as not being congruent as per **Section 3.0 of the Recruitment Report- Director of Programmes.** ***See Annex 2r being the recruitment report for the position of Director of Programmes.*** As the appointing officer, it is my responsibility to ensure that recruitment strategies are in place to guarantee the suitability of candidates, especially for leadership roles. This includes assessing their potential to adapt quickly to the requirements of the role and any future circumstances that bring change. Consequently, during the second screening, it was determined that Dr. Wamera was not aligned with the team at the Secretariat in terms of being a potential leader that believed in the

Secretariat team being composed of persons with the highest standards of efficiency and competence as stipulated in Staff Regulation 6.4(b), hence justifying her exclusion from the recruitment process. This decision was made in the best interest of the organisation to ensure that candidates chosen for leadership positions are aligned with the organisation's objectives, capable of leading change, and fostering effective partnerships.

**3.1. d) That Dr Azzika Tanko was Acting Director of Programmes and in accordance with Staff Rule 25.5 on the need to consider internal candidates who are qualified for any vacant position, a professional advice was given to you that Dr Tanko be considered in the recruitment process of Director of Programmes.**

**3.1. e) That it was quite clear that Dr Tanko was not your favourite candidate for this position as evidenced by the following actions you took:**

*i) A fresh written test administered for Dr Tanke and evaluated and marked by three external experts namely Dr Nico Elema, Mr Manasseh Igyuh and Mr Anselme Voudounhessi. This Panel scored Dr Tanke an average of 67.83% which was above the set passing mark of 60% for one to qualify into the final Panel Interview.*

*ii) A remark of the test Script: not being convinced with the first Panel's evaluation, you invited three other Panelists namely: Dr Rachael McDonnell, Dr Najib Bateganya and Dr Elvis Tangem. This Panel scored Dr Tanko an average of 44.6%. This made the overall average Score for the two Panels to be 56.25% which was below the required minimum score of 60%*

**3.1.5.** Regarding Dr Azzika Tanko's candidacy as an internal applicant, the following points can be made:

- i. Section 5 of the **Recruitment Report – Director of Programmes – (see Annex 2r)** indicates that Dr Tanko was indeed considered for the role in accordance with the provisions of Staff Rule 26. That is, he was shortlisted with the aim of retaining existing talent;
- ii. That although he initially did not take the written test with the rest of the candidates, it was administered to him on 7<sup>th</sup> December, 2022. The test script was then anonymously marked by 6 experts;
- iii. That, however, due to subjectivity in the assessor's remarks stemming from their personal knowledge of the candidate, it was recommended to involve additional reviewers for the test;
- iv. That the average score of the 6 assessors was 56%, which fell below the passing mark. ***See Annex 2u being a summary of the assessors' scores in relation to Dr Tanko's written test script.*** Therein, instead of focusing solely on the candidate's performance, the assessor's personal opinions and familiarity with the candidate seemed to influence the feedback. Thereby introducing subjectivity into the assessment process;
- v. That despite a score below the pass mark, Dr Tanko, was not disqualified from proceeding to the next stage. A special consideration was granted to allow him participate in the final panel interview because he was acting in the role at the time;

- vi. That subsequently, Dr Tanko, participated in the interviews and was ranked third among the candidates;
- vii. That the panel deliberated and recommended three candidates to the Executive Secretary for appointment, in order of preference;
- viii. Consequently, that as the ES I appointed the candidate who emerged as the top choice from the recommended candidates. The interview panel noted that Dr Tanko should be considered if the first two candidates decline the offer; and
- ix. Therefore, Dr. Tanko received fair consideration and was not disadvantaged in any manner since all recruitment procedures were carried out in accordance with the stipulates of **Rules 25 and 26 of the Staff Regulations and Rules** and as evidenced by the panel's results.

**3.1.e. iii) That much as Dr Tanko was allowed to get to the final Panel Interview stage, he reached this stage at an already disadvantaged position as the final evaluation score was an average of the written test and the Panel Interview with the written test carrying a high weight of 80%.**

- x. Furthermore, the claim that scores from the written test were given a weight of 80% in determining the overall ranking of the candidates by the interview panel is false. **Annex 3 of the Recruitment Report – Director of Programmes – (see Annex 2r)** shows that the final ranking of the candidates was based solely on their performance when facing the interview panel.

**3.1. f) That in addition to the flaws in the recruitment process above, the hiring decision for the Director of Programmes contravened Staff Rule 24.3 where Regional Balance and Gender were not taken into consideration.**

**3.1. g) That, furthermore, this hiring decision contravened Staff Rule 25.5 where suitably qualified internal candidates were not fairly treated. In this recruitment campaign there were two suitably qualified internal candidates-Dr Tanko Azzika and Mr Patrice Leumeni.**

**3.1.6.** The claim that the recruitment process neglected regional balance and gender factors is refuted.

**3.1.7.** The recruitment took into consideration the preferences of our funding partners – that provide about 70% of the resources used to operate the AMCOW Pool Fund for Staff Costs – to assure delivery of expected results through a merit-based selection process.

**3.1.8.** This preference is similarly echoed by the stipulations of **Staff Regulation 6.4 on the criteria for recruitment** that emphasise fairness, competitiveness; transparency; avoidance of discrimination; and the highest standards of efficiency and competence. To that end, the fairness, transparency, and the selection of the most qualified candidates was done.

**3.1.9.** With particular reference to **Staff Rule 25.3 stipulating that candidates must be of equal qualifications for nationals of the under-represented region to be given priority.**

Section 6 of the **Recruitment Report- Director of Programmes**. See **Annex 2r** illustrates the overall analysis of the interview panel that:

- i. the top two candidates were separated by 8 percentage points – which means that they were not of equal qualifications for the criterion of under-representation to apply;
- ii. both candidates were from the same region, Southern Africa;
- iii. the candidate recommended for consideration for the position in the event the top two candidates turned down the offer was 13 percentage points adrift of the top candidate, which does not meet the standard set by Staff Rule 25.3; and,
- iv. the same third placed candidate was from a region already represented by 7 out of the 12 – nearly 60% – of the professional staff of the Secretariat – **see table 2 below**.

**3.1.10** The facts in the foregoing demonstrate that the provisions of **Staff Rule 25.3 on the Conditions of appointment** were upheld.

**3.1.11.** In relation to Dr Tanko and on giving priority to internal staff, there was no breach of Staff Rule 26.5. That Rule does not require that internal staff be *hired* to fill vacancies, but rather that they be “*offered consideration*” (to quote the Rule) in filling such vacancies. Notably, under Rule 26.5, such consideration is to be made regarding only internal persons with *requisite qualifications* and only *after* interviews.

**3.1.12.** My hiring decisions have always been taken professionally and based on merit, devoid of sentiments or personal preference. That Dr Tanko did not scale through the panel interview stage, ought to reflect the rigour of AMCOW’s recruitment process rather than raise suspicion of bias or unfairness.

**3.1.13.** He was ranked in third place and naturally the vacancy was filled by the person who was ranked first. I maintain that having up to six experts – including assessors from outside Africa – in a bid to secure independence and impartiality and thus guarantee the integrity of the evaluation process and its results, was consistent with my contractual obligations under Clause 3 of Appendix 1 of my Contract – **see Annex 7c**, to ensure that AMCOW has the right talent in terms of competence and experience.

**3.1.14.** It is, therefore, my understanding that the recruitment process for the position of Director Programs was not flawed, but lawful, regular and proper.

**3.1.15.** Similarly, I am tackling the issue of gender balance having doubled the number of female professional staff from 2 to 4 – **see table 2 below**.

**3.1.16.** Furthermore, the increase in the number of professional staff from Nigeria during my tenure demonstrates that as a host country, they are neither neglected nor reduced in numbers. Therefore, the allegation that I am hostile to staff from the host country is baseless and contradicts the actual situation – **see table 2 below**.

**Table 2: staff composition of the Secretariat by nationality**

	<b>Country</b>	<b>Professional Staff in 2021(beginning of my tenure)</b>	<b>Current Professional Staff</b>	<b>Total Staff including General Service Staff</b>
1	Nigeria	4 (1 Female)	6 (2 Female)	14
2	Malawi	1	3 (1 Female)	3
3	Cameroon	1	1	1
4	Ghana	1	1	1
5	Senegal	1 (Female)	Resigned	
6	Kenya	1	Resigned	
7	Ethiopia		1(Female)	1

### **3.2. Recruitment of Senior Policy Officer- Water Resources Management (SPO-WRM)**

#### **3.2. ii) Non-renewal of groundwater Desk Officer’s contract**

**3.2.1.** The expiry of the contract of employment for the Groundwater Officer, a Nigerian, was in accordance with the provisions outlined in the Staff Handbook. Specifically, *item 3.0 (paragraph 3)* clearly states that fixed-term contracts terminate automatically on the specified end date without the requirement of providing notice. Since the Groundwater Officer's contract was of a fixed-term nature, the termination aligns with the contractual terms, as no notice obligation is mandated. Additionally, *Rule 31.2 of the Staff Regulations and Rules* reinforces that fixed-term appointments do not entail an expectation of automatic renewal. Therefore, the conclusion of the Groundwater Officer’s employment contract adhered to the established contractual and regulatory framework governing employment terms within the organization.

#### **3.2. iii) Redesigning of Groundwater Desk Office**

**3.2.2.** In line with Council Decision EXCO/13/2022/WDH/9, implementation of the new organogram commenced in Financial Year 2023. Council Decision EXCO/13/2022/WDH/9 is a culmination of ongoing efforts – dating as far back as 2016 (GA/10/2016/Dar/12) – to strengthen the AMCOW Secretariat to effectively deliver on its mandate. This has taken into consideration the opportunities for building on existing water governance systems and management structures to raise the profile of groundwater management. Hence the decision to develop the function of integrated water Resources management at the Secretariat with particular emphasis on implementing a strategic programme on groundwater for water security and resilience in Africa.

**3.2.3.** Operationalisation of the AMCOW organogram approved by Council Decision EXCO/13/2022/WDH/9 is taking into consideration *Staff Regulation 6.4(e) stipulating that staff members on short-term contracts ... and AMCOW project staff shall not automatically be*

***absorbed into AMCOW either as regular staff or in any other capacity without going through the recruitment procedure as stipulated in [the] SRRs.***

**3.2.4.** This stipulation applied to Prof Moshood Tijani, who – as a Groundwater Desk Officer – was a project staff. Therefore, the position of Senior Policy Officer Water Resources Management had to be openly advertised for transparency and fairness. It was no fault of mine that when the position was advertised Prof Moshood Tijani was over 55yrs old. As such, he did not meet the requirements for appointment as stipulated by ***Staff Regulation 6.3e.***

**3.2.5.** **Annex 2ac, being email exchanges with the DCS and CSO** will show that I requested colleagues to share the advert for the position of SPO-WRM with Prof Tijani before it could be published for the general public.

**3.2.5.** Thus, the allegations regarding the non-renewal of the Groundwater Desk Officer’s contract and the redesigning of the said position to end Prof Tijani’s employment at AMCOW are baseless. Everything was carried out in accordance with a long-standing commitment of the Council to implement an institutional design of the Secretariat that assured delivery on AMCOW’s mandate. This culminated in the new organogram of the organisation. ***See Annexes 2v and 2v-1 being internal vacancy announcements for open positions with a special emphasis on and encouraging Nigerian staff to apply.***

**3.2.6.** Similarly, all relevant provisions of the ***AMCOW Staff Rules and Regulations*** on the requirements for appointment and criteria of recruitment have been upheld in relation to Prof Moshood Tijani’s eligibility to contribute to the implementation of Council Decision EXCO/13/2022/WDH/9 to strengthen the Secretariat.

**3.2.7.** The assertion is false that groundwater management has been subdued in the new position of Senior Policy Officer for Water Resources Management. It is essential to recognise that groundwater management has been integrated as a crucial component of the broader water resources management portfolio. The introduction of the Senior Policy Officer role signifies a strategic approach to address water-related challenges comprehensively, including groundwater management, within a unified framework. By consolidating responsibilities under the umbrella of Water Resources Management, the organisation aims to streamline efforts, foster synergies, and maximise efficiency in addressing complex water resources issues. Therefore, far from being subdued, groundwater management has been elevated and incorporated as an integral aspect of the overarching strategy, ensuring its continued importance and effective integration into broader water resource management initiatives.

**3.2.8.** The recruitment process for the Senior Policy Officer for Water Resources Management (SPO-WRM) adhered to rigorous standards, ensuring transparency, fairness, and compliance with ***Regulation 6.4 of the Staff Regulations and Rules which explicitly provide that the recruitment process should be competitive, transparent and free from discrimination. See Annex 2w being the Evaluation Report for the SPO-WRM position.*** It provides detailed insights into the competitive and transparent nature of the recruitment process. Additionally, ***Section 6 (Article 17(a)) of the Governance Framework*** emphasises the requirement for recruitment processes to be conducted without discrimination, including based on nationality. Therefore, the appointment of

Ms. Joanna Fatch was conducted in accordance with these provisions. She emerged as the top candidate following a diligently conducted recruitment process and final interviews chaired by the TAC Vice Chair for Eastern Africa.

**3.2.9.** To base the decision of not appointing her to the position on the presence of two existing Malawian nationals in senior positions at the Secretariat would have been discriminatory, as nationality should not influence the selection process and more importantly the same would have gone against the merit-based approach that is the preference of the funding partners that support over 80% of AMCOW's budget.

### **3.3. Recruitment of Senior Monitoring, Evaluation and Reporting Officer (SMER)**

**3.3. a) i) *that the Job Description for the Senior Monitoring, Evaluation and Reporting Officer (SMERO)-a job at Grade P4 was the same as the Job Description of the Policy Officer-Monitoring, Evaluation and Reporting (PO-MER) – a job at Grade P2.***

**3.3.1.** This allegation is unfounded and inaccurate. While there may be some similarities in the roles' titles and certain aspects of their responsibilities, such as overseeing monitoring and evaluation processes, there are significant differences between the two positions that differentiate them in terms of seniority, experience requirements, and scope of responsibilities. The Senior Monitoring, Evaluation, and Reporting Officer role is classified at Grade P4, indicating a higher level of seniority within the organization compared to the Policy Officer role, which is classified at Grade P2. Additionally, the Senior Monitoring, Evaluation, and Reporting Officer is expected to have at least 10 years of direct relevant work experience at a senior level, demonstrating a deeper level of expertise and leadership compared to the requirements for the Policy Officer position. Furthermore, the Senior Monitoring, Evaluation, and Reporting Officer role entails a broader scope of responsibilities, including managing consultants and interns, coordinating technical working groups, and forging relationships with academic institutions and development partners, which are not included in the Policy Officer's job description. Therefore, it is evident that the two positions are distinct in terms of their classification, experience requirements, and scope of responsibilities, refuting the allegation that their Job Descriptions are the same. *See Annexes 2x and Annex 2y being the job descriptions of the two roles showing clear differences in roles and responsibilities.*

**3.3. a) ii) *That the Director of Corporate Services, was removed from the process starting with the recruitment of the Senior Policy Officer-Water Resources Management and then that of Senior Monitoring, Evaluation and Reporting Officer***

**3.3.2.** The involvement of the Director of Corporate Services (DCS) in the recruitment processes for both the Senior Policy Officer-Water Resources Management (SPO-WRM) and the Senior Monitoring, Evaluation, and Reporting Officer (SPO-MER) positions underscores the commitment to transparency and adherence to established protocols within the organization. As evidenced by the Selection Report for the SPO-MER position, where the DCS served as the Secretary to the Interview Panel, it's clear that the DCS played an integral role in ensuring the integrity and fairness of the recruitment process. *See Annex 2z being the Selection Report for SPO-MER.* Similarly, for the SPO-WRM position, the DCS shared the same nationality as that of

one of the shortlisted candidates. As such, he did not serve as the Secretary to the interview panel to maintain objectivity and impartiality throughout the selection process. Nevertheless, the DCS was actively involved and kept informed throughout both recruitment processes, demonstrating a commitment to upholding organizational standards of transparency and fairness. Any insinuation of exclusion or impropriety in the recruitment procedures involving the DCS is unfounded, as their involvement was integral to ensuring procedural compliance and accountability.

**3.3. a) iii) *That the interview of the only Internal candidate-Mr Patrice Leumeni was turned into a performance appraisal meeting to the extent that one of the Panelist had to intervene to re-direct the conversation back to an interview mode***

**3.3.3.** The claim of bullying during Mr. Patrice Leumeni's interview is unfounded and unsubstantiated. There were no instances of mistreatment or coercion observed during the interview process. Additionally, the need to prioritise an internal candidate based solely on their status was not a factor in the recruitment process. Each candidate, internal or external, was evaluated on their merits and qualifications, ensuring fairness and equality in the selection process. The decision to consider the top-performing candidate for employment was based solely on their suitability for the role, as recommended by the interview panel and in accordance with established regulations. Therefore, assertions of bullying and preferential treatment towards internal candidates are without merit, as the recruitment process was conducted fairly and impartially, providing equal opportunities to all candidates. It does not appear tenable or even in AMCOW's best interest, that merit and top talent be disregarded, as suggested in paragraph 3.3(v) of your letter.

**3.3. a) iv) *that despite the bullying he was subjected to during the interviews, Mr Patrice Leumeni still performed very well achieving a final combine score of 70% against the first candidate's score of 75%.***

**3.3. a) v) *That the marginal difference between the Internal Candidate and the External Candidate was only 5% and any rational decision maker would give priority to the Internal Candidate.***

**3.3.4.** I wish to draw attention to the limited consideration for merit, betrayed by this complaint, in disregard of AMCOW's recruitment criteria in Regulation 6.4(b) and (d) of Staff Regulations and Rules.

- i. Regulation 6.4(b) specifically stipulates that preference be given to persons with the highest standards of efficiency, competence and integrity.
- ii. Regulation 6.4(d) requires that even competently qualified and experienced internal staff, should compete for open positions and do so through a fair and competitive assessment process.

**3.3.5.** It is my understanding that these Regulations do not warrant or justify, hiring internal staff at the expense of better evaluated candidates. That Mr. Patrice Leumeni was invited to participate in the recruitment process is itself evidence of fair treatment. To suggest that he *should* have been

hired, simply because he was internal candidate, undermines the entire recruitment process and compromises the integrity of its outcome.

**3.3.6** In addition to my response above, I state in further reaction, that the allegation that the interview was “*turned into a performance appraisal meeting*” strikes me as a mere opinion. The range of professional questions, aimed at gaining insight into personal standards of efficiency, competence and integrity, displayed while in AMCOW’s employment, is not, in my view, limited. In any event, Mr. Leumeni was not questioned unfairly, and it is not on record that he complained about being bullied.

**3.3. b)** *That in all these recruitments, there is one Panelist in the person of Dr Elvis Paul Tangem who you have been inviting as a representative of AUC and yet AMCOW has never sent a letter of invitation to the AUC department of Sustainable Environment and Blue Economy (SEBE) which is the anchor Department of AMCOW to sit on Interview Panels. That much as Dr Elvis Tangem works with AUC as a Coordinator for the Great Green Wall Initiative, he is your friend, and that it is very wrong for him to be parading as an AUC representative.*

**3.3.5.** The appointment of external panellists, such as Dr. Elvis Paul Tangem, adheres to **Rule 52.1.(e) of the Staff Regulations and Rules**, which outlines criteria for their participation without mandating specific departmental affiliations within the AUC.

- i. Specifically, Rule 52.1(e) is to the effect that an external resource person might be co-opted if such a person has sufficient status and expertise; and is preferably from a Member State or an international organization represented in the host country.
- ii. While Dr. Tangem’s role as Coordinator for the Great Green Wall Initiative at the AUC is noted, it’s important to clarify that his participation as an AUC representative is not contingent upon his affiliation with the SEBE department.
- iii. His selection was specifically premised on the fact that he possessed sufficient status and expertise and not on formal representation, as the criterion does not specify such a requirement.
- iv. Therefore, since Dr. Tangem's invitation was based on his expertise, his status, him being a national of an AMCOW Member State; as well as working for an international organisation it was alignment with the established protocol for the recruitment process.
- v. Furthermore, the selection of external panelists aims to enrich the recruitment process with diverse perspectives and expertise and a formal request was directly sent to the director of SEBE, as evidenced by **Annex 2aa**.
- vi. Thus, any insinuation of impropriety in Dr. Tangem's involvement lacks merit, as it aligns with established regulations and procedural norms.

#### **4.0. Bullying and Intimidation of Staff**

**4.1.** **Rule 60 of the Staff Regulations and Rules** delineates the grievance handling process. Specifically, it stipulates procedures for addressing grievances against a colleague, including the ES. According to these guidelines, complaints against the ES must initially be submitted in writing to the ES or the competent authority of the concerned organ, requesting relief within a 30-day period. If relief is not provided within this time-frame, further recourse is available to the policy

organs of AMCOW. That allegations are made to acts of bullying and intimidation that have purportedly happened since March 2022 yet no evidence is provided of a complaint under Rule 60 of the SRR creates the impression of these being falsehoods.

**4.2.** This procedural breach undermines the credibility of the allegation and casts doubt on its validity. In the absence of adherence to the established procedures for lodging complaints and presenting evidence, it is inappropriate to entertain or give credence to such unsupported accusations.

**4.3.** Moreover, the accusation of bullying and intimidation of staff is based solely on hearsay, which cannot be relied upon as it does not constitute direct evidence. Therefore, it would be unfair and unjust to make conclusions or take action based solely on hearsay when no victim of such bullying has actually provided any information or evidence to substantiate such claims.

**4.4.** The allegations regarding the ES using General Meetings as platforms for naming and shaming staff members, as well as conducting performance appraisals during these meetings, are not substantiated by the minutes from the general meetings. More importantly, the allegation that I am motivated by personal grievance is utterly false. My interactions with staff have always been cordial and professional. Were the case otherwise, even email communication (a ready and verifiable source of my communication) would have lent credence to the allegation of bullying and intimidation.

**4.5.** Regarding the incident at the 2023 Annual Staff Retreat, evidence should be furnished as the lack of specificity of the claim makes it impossible for me know what to comment on. More importantly, I have no recollection of having any such discussion on any subject similar to what is being attempted to be described.

**4.6.** Claims of a toxic atmosphere and lack of motivation within the AMCOW Secretariat are contradicted by concrete evidence of operational efficiency and productive engagement. The substantial achievements outlined in the activity report of the first quarter of 2024; the 2023 Annual Report; the 2023 Annual Report of the Water Governance Systems and Management Structures Programme; as well as the 2023 Annual report of the ASPGs in Action Programme serve as compelling evidence that contradicts any assertions of a toxic work environment within the AMCOW Secretariat. It's important to note that accomplishments of this magnitude require a motivated and collaborative team effort. If indeed the working atmosphere were toxic and devoid of motivation, it would be highly improbable for the Secretariat staff to achieve such significant milestones. The successful convening of statutory and high-level agenda setting meetings at sub-regional, continental and global level; strategic partner and stakeholder engagement and coordination; and monitoring and reporting to the AU Assembly underscores a level of dedication, commitment, and teamwork that is inconsistent with the presence of toxicity in the workplace. **See Annex 4b being an archive of i) the Report for Q1 of 2024; ii) the 2023 Annual Report; iii) the 2023 Annual Report of the Water Governance Systems and Management Structures Programme; and iv) the 2023 Annual report of the ASPGs in Action Programme.** In just the first quarter of Financial Year 2024, the team has influenced the decisions of the 37<sup>th</sup> Ordinary Session of the AU Assembly; and had two joint planning meetings with the AUC Directorate of Sustainable Environment and Blue Economy, and the African Development Bank and African

Water Facility. The foregoing therefore reflects a level of resilience and determination among the staff that is incongruent with the presence of toxicity. In essence, the tangible achievements of the AMCOW Secretariat serve as a testament to the dedication and competence of its staff, providing strong evidence against the existence of a toxic work environment. Furthermore, the effective utilisation of resources as indicated by the excellent 81% budget execution rate for FY2023 suggests a level of operational efficiency and accountability that would be difficult to achieve in a toxic environment. In an atmosphere plagued by demotivation and toxicity, staff morale tends to be low, leading to decreased productivity and an inability to meet organizational goals. However, the Secretariat has not only achieved the organisational goals but has exceeded budgetary expectations as reflected in the unaudited Financial Statement that shows that a budget execution of 81% has been approved by the council. *See Annex 4a being the Unaudited Financial Statements.*

**4.7** Finally on this point, I believe a key consideration for my appointment as ES, was the Governing Council's recognition, of my proven leadership abilities. Indeed, my immediate task was to ensure short-term financial stability of the Secretariat within the framework of assuring the long-term financial sustainability of AMCOW. This task calls for delivery of results that demonstrate the relevance of AMCOW to Member States and partners as a mandated organ of the African Union on strengthening water security in Africa. I am, thus, leading a process of change to raise the profile of water and the stature of AMCOW. I also have the results to show in this regard, including:

- i. the decisions of the 37<sup>th</sup> Ordinary Session of the African Union Assembly in February 2024 endorsing our proposals for a year on water and sanitation matters at the African Union in 2026; and,
- ii. renewed Member States and funding partner confidence in AMCOW as highlighted by the fact that we have exceeded the target of mobilising US \$20m to fully fund the AMCOW Work Programme 2022-2024 which I introduced on assuming office.

**4.8.** The renewed confidence in AMCOW vindicates the change in approach to programme-based budgeting, particularly to enhance the quality and effectiveness of the Secretariat's expenditure. For AMCOW to grow, there has to be a stronger relationship between resources mobilised and expected results along the continuum of AMCOW's mandate. It is, therefore, my primary duty to assure the institutional credibility and sustainability of AMCOW through enforcing compliance, transparency and accountability. This is due to the fact that the bulk of our funding is from development partners and comes with the invariable condition of ensuring delivery of expected results.

**4.9.** The other aspect of the change in approach has been increased engagement with both the Member States and our partners and stakeholders through institutionalisation of sub-regional statutory meetings. Similar engagements are ongoing with our international partners as a direct result of which, our influence on global processes to set the water and sanitation agenda has grown as demonstrated by:

- i. our election to the World Water Council's Governing Board, with the highest number of votes received by a single candidate,

- ii. providing leadership for the Africa Regional process for the mid-term review of the UN Water Action Decade 2018 – 2028;
- iii. providing leadership for the Africa Regional Process for the 10<sup>th</sup> World Water Forum; and,
- iv. providing leadership in the campaign to establish the role of a special envoy of the UN Secretary General on water.
- v. excellent cooperation between SWA, UNICEF and AMCOW to jointly organise the virtual Africa Finance Ministers Meeting (AFMM) on 31 October 2024, where the AMCOW President played a key role in the FMM programme. The full report for the AFMM can be found [here](#) and the AMCOW President is listed as one of the headline speakers.

**4.9.** The decision of the Council to appoint me as the third ES of AMCOW is, thus, vindicated by our transformation to date into a truly international organisation. Our annual expenditure for FY2024 is budgeted in excess of US \$6.0m. This up from US \$2.6m for FY2021 when I took over.

**4.10.** And as can be expected, the growth in the foregoing cannot have been possible without disruptions to the status quo at the time of my appointment.

**4.11.** I have never considered myself a weak or ineffective leader. The demands of my relentless focus, discipline and drive to achieve the above-mentioned results should be celebrated as creating a vision for the staff and motivating them to realise their full potential. And, indeed, the tremendous results reported in **Paragraph 4.6** above, show convincingly, that the Secretariat team is more galvanised than demoralised – if at all.

**4.12.** AMCOW’s interests are better served by a highly efficient secretariat that demonstrates AMCOW’s relevance to Member States and partners through collectively attaining the highest possible levels of productivity.

**4.13.** This will, in turn, assure unimpeachable legitimacy to receive, manage and utilise funds for AMCOW activities from Member States, partners and stakeholders.

## **5.0. Paralyzing of the oversight function of Management and Governance Structures**

### ***a) dissolved the Senior Management Team and the advisory committees established under Staff Rules and Regulations 51 and 52.***

**5.1.** The assertion that the Senior Management Team of the AMCOW Secretariat was dissolved lacks factual basis.

**5.2.** The positions of Director of Corporate Services and Director of Programmes are institutionalised into the AMCOW Organogram approved by Council Decision EXCO/13/2022/WDH/9. Indeed, the position of Deputy Executive Secretary was added though not yet operationalised. Given that the Director positions are still on the organogram and are filled, the claim that the Senior Management Team was dissolved cannot be true. The Senior Management of the AMCOW Secretariat is made up of the Executive Secretary; Deputy Executive Secretary and the two Directors.

**5.3.** Furthermore, by adding the position of the Deputy Executive Secretary to the organogram, Council Decision EXCO/13/2022/WDH/9 – taken during my tenure – further strengthened the Senior Management Team.

**5.4.** It has to be noted that the approved organogram is yet to be fully operationalized. As such, to the extent that the positions constituting the composition of both the Appointment, Promotion and Recruitment Committee (APRC); and the Advisory Committee on Administrative Policies (ACAP) are filled, the committees are active.

**5.5.** Notably, the ACAP – constituting of the DCS, the then acting DP, the then HR and Procurement Specialist as stipulated by ***Staff Rule 51.3 on the composition of ACAP*** – aligned the Staff Regulations and Rules (SRR) and Financial Regulations and Rules (FRR) with those of the AUC.

**5.6.** Additionally, the involvement of committee members in key recruitment processes underscores their continued functionality. Members of the APRC have been instrumental in facilitating the recruitment process for various positions within the Secretariat, further validating the active engagement of these committees. Therefore, based on the organisational structure, committee functionality, and ongoing governance initiatives, the claim of the Senior Management Team dissolution is unfounded and contradicted by established institutional frameworks and practices as per ***Staff Rules 51 and 52 of the Staff Regulations and Rules***.

***b) That you successfully made the Office of the Director of Corporate Services non-functional by among other things: i) assigning responsibilities which are under the docket of the Directorate of Corporate Services to the newly hired Director of Programmes. For example, the DCS was sidelined in the recruitment process of the Senior Policy Officer-Water Resources Management and the Senior Monitoring, Evaluation and Reporting Officer;***

**5.7.** The assertion that the Office of the Director of Corporate Services (DCS) was rendered non-functional by assigning its responsibilities to the newly hired Director of Programmes is inaccurate and lacks evidence. First, the delineation of responsibilities between different directorates is a standard organisational practice aimed at optimising efficiency and accountability. Assigning certain tasks to the Director of Programmes does not automatically imply the sidelining of the DCS.

**5.8.** Regarding the recruitment process for the Senior Policy Officer-Water Resources Management (SPO-WRM) and the Senior Monitoring, Evaluation and Reporting Officer (SPO-MER), it's important to note that:

- i. the SPO-MER position falls under the Directorate of Programmes. Therefore, the initiation of the recruitment process by the Directorate of Programmes is not indicative of the marginalisation of the DCS.
- ii. Rather, it is in conformity with ***Staff Rule 26.3*** that makes it the duty of the relevant departments to name the vacancies at the Secretariat.

- iii. Additionally, evidence demonstrates that the DCS was actively involved in the recruitment process, with his input directly solicited and participation as the Secretary to the Interview panel for the SPO-MER position, as indicated in **Annex 5a**.
- iv. Furthermore, the effectiveness of the office of the DCS should not be solely judged based on its involvement in specific recruitment processes. The overall functionality and performance of the DCS role should be evaluated based on its ability to fulfil its mandate, manage administrative functions effectively, and contribute to the organisation's strategic objectives. Without concrete evidence demonstrating that the DCS was deliberately marginalised or made non-functional, such claims remain speculative and unfounded. Therefore, it is essential to approach these allegations with a balanced perspective, considering the broader context of organisational dynamics and responsibilities.

**5.9.** The inclusion of the Director of Corporate Services (DCS) in relevant email communications demonstrates a commitment to transparency and ensures that key stakeholders are informed of pertinent matters.

5.10. It's important to acknowledge that the Secretariat operates with a lean professional staff complement of only 12 persons, many of whom are responsible for entire functional units. Despite this, there is no indication of any deliberate undermining of roles and responsibilities within the organisation. Instead, a collaborative approach, emphasising collegiality over strict hierarchy, is fostered to facilitate effective task completion and promote productivity among the staff. This collaborative ethos underscores the Secretariat's ability to achieve its objectives efficiently, despite limited resources, and highlights the value of teamwork and mutual respect within the organisation.

**5.0 b) iii) dealing with AMCOWs Travel Agent directly without passing through the laid down procurement procedures on procurement of air tickets ation.**

**5.11.** In response to the allegation that as the ES, I deal with Travel Agents directly without passing through the laid down procurement procedures, this allegation lacks merit as it overlooks key aspects of the ticket procurement process.

- i. First, engaging with the travel agent directly is often necessary to confirm itineraries before tickets can be issued, ensuring accuracy and alignment with travel plans.
- ii. Second, the travel agent serves as our consultant, facilitating real-time discussions on itinerary options to prevent misunderstandings or errors.

**5.12.** However, it's essential to emphasise that adherence to established procurement procedures remains paramount. While direct engagement with the travel agent may be necessary, it must be accompanied by proper documentation and adherence to financial management protocols as provided for under **Article 41(c) of the Finance Regulations and Rules – See Annex 5b**. Therefore, allegations of this nature need to be supported by evidence demonstrating consistent departures from established procedures, such as cases where tickets were acquired without adequate transaction details recorded in the financial management system. This has not been done in this case.

**5.0. c) That you are acting both as the Accounting Officer and as the Financial Controller contrary to Article 6 of AMCOW's Finance Rules and Regulations which stipulate that these two functions be performed by two different individuals.**

**5.13.** The allegation that I am acting both as the Accounting Officer and as the Financial Controller in contradiction of *Article 6 of AMCOW's Finance Rules and Regulations (FRR)*, is neither elaborated nor substantiated.

**5.14.** *Article 6(h) of the Finance Regulations and Rules* tasks the Executive Secretary (ES) to serve as the accounting officer and report to the Council of Ministers. Specific duties include:

- i. managing and overseeing the accounting functions of the organisation; and,
- ii. ensuring accurate financial record-keeping and compliance with financial regulations.

**5.15.** Conversely, the Financial Controller is tasked with overseeing the accounting department, financial reporting, budget management, and financial analysis. These two positions are substantially different. This is further emphasised by the Oracle NetSuite Enterprise Resource Planning (NetSuite ERP) financial management system in use at the Secretariat.

**5.1.6.** In the NetSuite ERP, I am assigned the CEO role while the DCS has the Financial Controller role. The system is designed in such a way as to make it impossible to combine both roles into one individual.

**5.1.7.** The minimum standard for making such an allegation would be to show proof of I having assumed sole responsibility for keeping the accounts of AMCOW; and managing transactions connected with the collection of revenues and their disbursement. This is what *Article 6 of the AMCOW Financial Rules and Regulations* sets as the key responsibility of the Financial Controller.

**5.0. d) That since your ascension into office, you have only submitted one progress report to the AMCOW President through the TAC Chair**

**5.18.** The accusation that only one progress report was submitted to the AMCOW President through the TAC Chair since my tenure began, is not consistent with the record of the various statutory meetings held in the same period. With reference to specific articles of the AMCOW Governance Framework document, below I illustrate that in my tenure 25 Council decisions have been taken on the basis of the accountability, work programmes, activity and financial progress reports and concept notes that I have submitted through the Technical Advisory Committee.

i The Secretariat, under Article 2.4.1 – serves the functions of, among others:

- 1 taking action on the decisions of the Council and EXCO.
- 2 preparing work programmes, budgets and reports for the consideration and/or approval of the Council.

ii In this regard, the Executive Secretary is charged with the responsibility to, inter alia:

- 1 lead the translation of all decisions of the Council of Ministers into action and impact;
  - 2 submit through the TAC and EXCO, AMCOW work programmes, budgets and reports for consideration and/or approval by the Council of Ministers;
  - 3 be the overall lead in providing financial reports and accountability to the Council of Ministers and AMCOW partners; and,
  - 4 lead the provision of secretariat services for the sessions and meetings of all organs of AMCOW.
- iii In my tenure, the following statutory meetings have been convened:

- 1 The 13<sup>th</sup> Ordinary Session of the Executive Committee at which progress reports were provided on the implementation of Council Decisions through various AMCOW policy initiatives and work programmes. After consideration of the progress reported, the EXCO took 18 decisions to both further the implementation of existing initiatives, as well as launch new interventions – *see Annex 1j being the decisions of the 13<sup>th</sup> EXCO*
  - 2 The 13<sup>th</sup> Ordinary Session of the General Assembly similarly took seven decisions on the implementation of continental policy initiatives. In addition, the Council took note – with appreciation – of the report on AMCOW activities at the UN 2023 Water Conference – *see Annex 5c being the decisions of the 13<sup>th</sup> GA.*
  - 3 As at 30 April 2024, 13 annual sub-regional meetings have been serviced by the Secretariat. They are all invariably facilitated by the Executive Secretary to review status of implementation – in the respective regions – of AMCOW initiatives, activities and programmes at continental, sub-regional and country levels. The matters reported on and recommendations of the members of the Technical Experts Committees are captured in the Aide Memoires herewith included as *Annex 5d – being Aide memoires of statutory sub-regional meetings of the TECs.*
- iv In accordance with Rule 41 of the AMCOW Rules of Procedure, the AMCOW President announces the Decisions of the Council and Executive Committee. This is symbolised by appending his/her signature. Annex 1j and Annex 5c are proof that I have diligently submitted progress reports to the Council through the TAC on the basis of which decisions on AMCOW policy initiatives have been taken and announced by the AMCOW President. Similarly, at sub-regional level, the signed Aide Memoires – Annex 5d – are proof of I facilitating two-way feedback on AMCOW initiatives, activities and programmes at continental, sub-regional and country levels.

**5.0. e) *That you changed the style of presentation of progress reports during TAC Meetings where the TAC Members are sent a Draft Annotated Agenda with progress reports attached as Annexes. That during the TAC meeting, the Annotated Agenda is read out to the TAC Members and proposed decisions endorsed on the understanding that the TAC Members have gone through the Annexes. That very few TAC Members have time to go through these Annexes before they come for the meetings. That in the past, the various functional leads used to present progress reports to the TAC, and this gave the TAC an opportunity to scrutinize what is being presented.***

**5.19.** The accusation that because of changes I introduced Members of the Technical Advisory and Technical Experts Committees (TAC and TEC) now advise the Ministerial Committees

without reading the reports undermines the integrity of the Members of the TAC and TEC. Evidence from the signed Aide Memoires of the 13<sup>th</sup> Ordinary Session of the EXCO and the 13<sup>th</sup> Ordinary Session of the General Assembly highlights the dedication of TAC and TEC Members to thoroughly review all progress reports before vetting proposed decisions.

i During the 13<sup>th</sup> Ordinary Session of the EXCO, there was a thorough scrutiny of the reports presented leading to:

- 1 edits to the AMCOW 3-year Work Programme and Budget (2022-2024) particularly on the Secretariat's collaboration with River and Lake Basin Organisations;
- 2 revision of the proposed amendments to the AMCOW Governance Document;
- 3 the conditional recommendation for the Council to adopt the 2022 WASSMO report subject to addressing the comments of the Member States by 28 October 2022;
- 4 the requests for clarification on the modus operandi of the proposed Development Partners Coordination Framework (DPCF) as a mechanism to infuse new approaches into Africa's efforts to improve the funding and investment outlook for the water and sanitation sector;
- 5 the decision of the TAC to defer submission to the Council of the draft AMCOW Policy and Strategy for Gender, Youth and Inclusion. In this regard, the TAC tasked the Secretariat to address all the comments from Member States.
- 6 the guidance of the TAC to assure strict adherence to the principle of subsidiarity during the implementation phase of the Team Europe Initiative on Transboundary Water Management (TEI-TWM).

ii Similarly, during the 13<sup>th</sup> Ordinary Session of the General Assembly, the TAC-TEC:

- 1 extended the period for considering the AfricaSan Ngor Report to 4<sup>th</sup> July 2023. The Secretariat was tasked to incorporate the comments received and circulate the updated document on or before 11<sup>th</sup> July 2023. Member States requested for a 4-week period to thoroughly review the draft 2023 AfricaSan Ngor Report to enable them to provide valuable input;
- 2 scrutinised the AMCOW Workplan and budget for the financial year 2023 zeroing in on Annex 6 section 3.1(iv) of the Workplan on catalysing improved water sector investments;
- 3 made an amendment to the definition of 'gender' in the Strategy for Youth and Gender Inclusion (YoGI) in Africa's Water and Sanitation Sector to ensure that it aligns with the intended purpose and objectives of the AMCOW strategy (2018-2030).
- 4 passed a motion to withdraw from the Annotated Agenda and postpone discussions on the Action on Water Adaptation and Resilience (AWARe) Initiative to such a time as when broader consultations would have been conducted and consensus reached on the initiative.

iii The actions in the foregoing are inconsistent with the sensationalised allegation that misrepresents the diligence and dedication of the TAC and TEC Members when making recommendations for the endorsement of the Ministerial Committees. As such the accusation that I made changes to the style of presentation of progress reports during TAC meetings to disenfranchise members from scrutinising them is unfounded **See Annex 5d.**

**5.20.** Based on the foregoing, I deny that anything about the mode of presentation of progress reports during TAC and TEC meetings has had the purpose or effect of either preventing or frustrating full review of such reports. This allegation is simply not true.

**5.21.** As demonstrated above, I recognise the vital importance of creating and maintaining clear and seamless information flow channels, between the Secretariat and the Governing Council, the TAC and the EXCO. As the liaison between the operational level of the Secretariat and the Board level of the EXCO and Governing Council, I have worked diligently to ensure information to the TAC meets expected standards and in a full and timely fashion. For this reason, I maintain personal oversight and supervision, of information exchanges with the Office of the President and all members of the Council of Ministers.

**5.22.** A question that needs to be asked under these circumstances is how this complaint shows up in a petition purportedly from Staff or former Staff of AMCOW Secretariat. None of them, I can safely say, have served on the TAC, since my tenure as ES.

## **6.0 Acts of Insubordination to the Office of the AMCOW President**

**6.0. a) i.** *The President's engagements at the 2023 World Water Week in Stockholm- that you left the AMCOW President alone at the WWW and that you had sent the newly hired Director of Programmes to represent you at WWW without any formal delegation letter to the AMCOW President.*

**6.1.** Allow me to address, as follows, the allegations that – as an act of insubordination – I left the AMCOW President alone at the World Water Week (WWW) and that I sent the newly hired Director of Programmes to represent me without any formal delegation letter to the AMCOW President.

- i the World Water Week (WWW) is a voluntary event. Participants willingly pay significant sums of money to attend over a five-day period. It is, therefore, inconceivable to delegate someone to represent me to an event where I was not formally invited.
- ii In the lead up to the WWW in 2023, I had a series of online meetings with the TAC Chair and provided detailed analyses of the limitations of our budget to participate in the event – see **Annex 6a and Annex 6b**. The analyses indicated shortfalls of over US \$18,000 to nearly US \$34,000, even with support from partners.
- iii I made an appeal to repurpose the budget for AfricaSan7, a flagship AMCOW event for which all available resources were required to ensure success. On the other hand, the WWW is an event where AMCOW is a participant and, therefore, not responsible for its success.
- iv Despite my best efforts, full budget mobilisation for a 6-member delegation, including the AMCOW President and the TAC Chair, was not possible.
- v I had to take cost-cutting measures to minimise the budget deficit. The decision on the composition of the delegation was thus based on ensuring high-level representation, technical coordination, and budget optimisation without compromising engagement outcomes. This would be achieved as follows:
  - 1 the AMCOW President's attendance was the highest possible level of AMCOW representation at the event;

- 2 the staff from the Secretariat constituted a well-rouded technical team that would ensure the success befitting of an occasion graced by the AMCOW President; and,
- 3 a higher budget saving would be made if I was left out of the delegation yet there would be no impact on delivery of desired results from our engagements during the WWW.

**6.0. a) ii) *The President's engagements at the first Africa Climate Summit in Nairobi, Kenya- that this was another high-level event where the AMCOW President attended and you decided not to attend the Summit and instead organise a parallel Eastern Africa Sub-Regional Meeting in the same Country Capital, Nairobi.***

**6.2.** Similarly, there is no merit to the assertion that I unilaterally organised a sub-regional statutory meeting in parallel to the first Africa Climate Summit in Nairobi, Kenya as an act of insubordination. This is illustrated as follows:

- i Article 3.2 of the AMCOW Governance Framework Document lists as among the duties of the AMCOW Vice President the responsibility to convene annual sub-regional AMCOW meetings to:
  - 1 facilitate two-way feedback on AMCOW initiatives, activities and programmes at continental, sub-regional and country levels;
  - 2 review the status of implementation of the AMCOW work plans in their respective sub-regions;
  - 3 report annually to the policy organs of AMCOW and the AU on the implementation of the Sharm El-Sheik commitments; and
  - 4 provide a consultative forum for proposing new initiatives, programmes and/or activities to be implemented in the sub-region and raise any issues of relevance to AMCOW.
- ii In fulfilment of this obligation, the Republic of Kenya – as AMCOW Vice President for Eastern Africa – took a decision to convene the Eastern Africa sub-regional meeting on 06-07 September 2023.
- iii Article 3.5 of the AMCOW Governance Framework Document charges the Executive Secretary with the duty to lead the provision of secretariat services for the sessions and meetings of all organs of AMCOW.
- iv The Eastern Africa sub-regional meeting on 06 – 09 September 2023 was an AMCOW Statutory meeting the servicing of which is a direct responsibility of the AMCOW Executive Secretary.
- v The Africa Climate Summit, whilst similarly hosted by the Republic of Kenya, was not the responsibility of the AMCOW Secretariat to service.

**6.0. a) iii) *Signing of the MoU with the World Water Council for AMCOW to coordinate the Africa Regional Processes- that you attempted to keep the AMCOW President***

*out of loop and nearly signed the Letter of Intent to enhance cooperation and support for the organisation of the 10th World Water Forum single handedly had it not been that the TAC Chair happened to be in attendance of the signing ceremony.*

**6.3.** In response, *Article 3.5 of the AMCOW Governance Framework* unequivocally defines the role of the ES as the principal leader in institutionalising mechanisms for mobilizing financial resources and investments for AMCOW activities, ensuring alignment with the organisation's vision, mission and strategic directions.

**6.4.** Notably,

- i. I was elected to the World Water Council's Board of Governors for 2023 – 2025 with the highest number of votes received by a single candidate 184.
- ii. As a member of the Board, the AMCOW Secretariat is responsible for mobilising the African continent, facilitating dialogue, and contributing to the debate on the cross-sector value of water.
- iii. AMCOW is also tasked with coordinating the regional process to mobilise stakeholders in Africa to participate in the 10<sup>th</sup> World Water Forum, as agreed at the 82<sup>nd</sup> meeting of the Board of Governors of the World Water Council.
- iv. These activities were included in the Secretariat's revised annual work plan and budget for FY2023, leading to Council Decision GA/13/2023/CAI/6.
- v. Therefore, the signing of a letter of intent to support the World Water Council in coordinating the Africa Region preparatory process for WWF10 is a routine operational detail of the Secretariat's work plan approved by the Governing Council. It represents a proactive step in fulfilling our obligations as a Member of the Board of Governors and aligns with our strategic objectives in promoting African interests in global water governance.

**6.0. a) iv) *The President's engagements in Swakopmund during the Africa San 7 Conference-that it was very visible that the AMCOW President was not being accorded the due respect he deserved. For example, during the Gala Dinner, you decided to sit at the back of the Marque leaving the President, the Host Minister and other Ministers alone at the High-Table.***

**6.5** Furthermore, in response to the concerning allegation regarding the President's engagements in Swakopmund during the Africa San7 Conference, it is crucial to first understand the context of the Gala Dinner and my role in it as follows:

- i The Gala Dinner was given by the Government of the Republic of Namibia in its capacity as the host of the 7th Africa Sanitation Conference.
- ii The 25 Ministers – including for the very first time Ministers for Health and Finance – as well as Presidential advisors that attended the Conference were guests of the Honourable Minister for Agriculture, Water and Land Reform (MAWLR) of Namibia and President of the Africa Water Facility.

- iii Council Decision GA/13/2023/CAI/4 on hosting the AfricaSan 7 Conference requests the Honourable Minister Namibia to convene a Ministerial Session during the Conference to consider the outcomes of AfricaSan7.
- iv Article 3.5 of the AMCOW Governance Framework Document charges the Executive Secretary with the duty to lead the provision of secretariat services for the sessions and meetings of all organs of AMCOW.
- v The Conference programme shows that the gala dinner took place on the eve of the Ministerial Session. It also shows that:
  - 1 the dinner was on Thursday 9 November from 19h00 which was just 75 minutes from the end of the technical sessions of the Conference – **see Annex 6d.**
  - 2 the programme of the Ministerial session commenced at 08h00 with a Ministerial breakfast at 08h00 and would culminate in the reading of the Swakopmund Declaration
- vi Given my duty to lead the provision of secretariat services for the sessions and meetings of all organs of AMCOW, and it being that I was not a guest of the host minister, I was occupied during the dinner providing leadership:
  - 1 to the session convenors to finalise the highlights from the technical sessions and dialogue processes – which had ended just 75 minutes before the dinner – for presentation during the Ministerial Session;
  - 2 to the members of the International AfricaSan Conference Task Force to finalise the draft Swakopmund Declaration and circulate it in time for the TAC and Sanitation Focal Point persons to brief their ministers before the Ministerial breakfast at 08h00 on Friday 10 November 2023
  - 3 to the Secretariat team and National Organising Committee representatives working with service providers to set up the plenary hall for the Ministerial session before 23h00 on Thursday 09 November 2023 when the Security detail from the Office of the President of Namibia would secure the hall till the opening of the session. This meant that the hall would be sealed off.

**6.6.** Indeed, it was out of utmost reverence to the AMCOW President, the host minister and all their guests that I immersed myself into the task. This is what ensured that all necessary arrangements were made to have the great success of the Ministerial Session as determined by the feedback received on the conference.

## **7. Mismanagement of Financial Resources**

### **7.1. Frequent travels including private travels disguised as Official Missions**

- a) *That from January 2022 to January 2024(25 months), you have had close to 35 travel missions spending a total of \$225,000 translating into an average spend per month of \$9,000.*

*That while engagement with Member States and Development Partners cannot be overemphasized, this rate of expenditure per month for one Officer is way on the higher side*

**7.1.1.** Annex 7b highlights the activities in the approved Work Plan and budget for FY 2023 for which I was the lead person responsible for results delivery.

**7.1.2.** The FY2023 budget only provides US \$7,000 for ES Engagements with Member States and Partners (budget line CS 4.7)

**7.1.3.** As such, expenditure on ES travels is related to execution of clearly defined activities of the approved workplan, including servicing statutory meetings, mobilising resources, influencing continental and global agenda setting fora; and convening AMCOW’s flagship programmes like the Africa Sanitation Conference.

**7.1.4.** In turn, the implementation of those activities has been used to leverage resources to finance implementation of the approved AMCOW triennial work programme. It is a fact that:

- i. I have exceeded the resources mobilisation target of US \$20m to finance the 3-Year AMCOW Work Programme 2022 – 2024.
- ii. I have received **US \$1.31million** – in Member States contributions – from the Member States and or Honourable Ministers I have engaged during the trips I have been on since appointment as detailed in Table 3below:

**Table 3: Member States contributions mobilised from Member States visits**

<b>Member State</b>	<b>Amount Paid Oct 21 to date</b>	<b>Remarks</b>
Benin	170 000,00	1 <sup>st</sup> courtesy call by an AMCOW ES
Botswana	10 000,00	
Burkina Faso	121 212,12	1 <sup>st</sup> courtesy call by an AMCOW ES
Cameroon		1 <sup>st</sup> courtesy call by an AMCOW ES
Côte D'Ivoire	35 515,26	
Egypt	10 000,00	
Ethiopia	130 007,00	1 <sup>st</sup> courtesy call by an AMCOW ES
The Gambia	85 000,00	
Ghana	117 079,60	1 <sup>st</sup> courtesy call by an AMCOW ES
Kenya	53 387,18	1 <sup>st</sup> courtesy call by an AMCOW ES
Lesotho		
Malawi	34 400,99	1 <sup>st</sup> courtesy call by an AMCOW ES
Mauritania		1 <sup>st</sup> courtesy call by an AMCOW ES
Mozambique		1 <sup>st</sup> courtesy call by an AMCOW ES
Namibia	20 000,00	1 <sup>st</sup> courtesy call by an AMCOW ES
Sao Tome & Principe		1 <sup>st</sup> courtesy call by an AMCOW ES
Senegal	94 370,24	
South Africa	30 000,00	Paid up to 2024
Eswatini	34 000,00	
Tanzania	74 948,26	
Uganda	20 992,63	
Zambia	135 908,29	Paid up to 2024
Zimbabwe	131 686,73	

<b>Total</b>	<b>1 308 508,30</b>
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iii. In addition, I have generated US \$0.34m in surplus revenue from the trips taken to Namibia in connection with organising the 7th edition of the Africa Sanitation Conference in 2023.

**7.1.5.** Through the engagements during the said trips, I have ensured the short-term financial stability of the Secretariat and assured the long-term financial sustainability of AMCOW.

**7.1.6.** The expenditure is as per approved work programmes. It is indeed a purposefully budgeted input to deliver agreed results from carrying out such activities of the approved workplan as:

- i. convening the decision-making policy organs of AMCOW;
- ii. facilitating high-level political dialogue processes;
- iii. mobilising resources;
- iv. influencing continental and global agenda setting fora; and
- v. facilitating information and knowledge generation, application, brokerage and networking.

**7.1. b) *That the ES travels are supposed to be approved by the AMCOW President as part of the approval process for his quarterly workplan and that it is on record that you have never submitted any quarterly workplan to the AMCOW President for approval.***

**7.1.5.** The basis for this assertion is neither provided by the stipulations of the AMCOW Governance Framework document on the specific powers and responsibilities of key positions of constituent bodies, nor the terms and conditions of my employment contract.

**7.1.6.** In addition, the assertion is contrary to a fundamental principle of good governance to delineate the roles between the board and the Secretariat. For the AMCOW organogram, a line is intentionally drawn between the board and the secretariat. This is in accordance with international best practice for the board to not be directly involved in the daily operations of an entity. Therefore, in my defence, I argue as follows:

- i The related specific responsibilities of my position as Executive Secretary are defined by Article 3.5 of the Governance Framework document as:
  - 1 submit through the TAC and EXCO, AMCOW work programmes, budgets and reports for consideration and/or approval by the Council of Ministers
  - 2 be the overall lead in providing financial reports and accountability to the Council of Ministers and AMCOW partners;
  - 3 act as the accountable officer for **the submission of annual reports** and other relevant documents to the African Union Assembly of progress on the implementation of the Sharm El-Sheikh commitments on WASH through the TAC and EXCO;
- ii The periodicity of the statutory meetings of the Council and the EXCO at which to obtain approval for work programmes and budgets is stipulated as follows:

- 1 Article 2.1.3(a) stipulates that meetings of the Council are held once every two years
- 2 Article 2.2.3(a) stipulates that meetings of the EXCO are held once every year
- 3 Article 2.5.3(a) stipulates that sub-regional meetings are held once a year in the interim of the ordinary session of the EXCO

iii In my tenure, the following statutory meetings have been convened:

- 1 The 13<sup>th</sup> Ordinary Session of the Executive Committee at which the AMCOW triennial work programme and budget for FY2022 – FY2024 were approved by Council Decision EXCO/13/2022/WDH/8 – **see Annex 1j**.
- 2 The 13<sup>th</sup> Ordinary Session of the General Assembly similarly took Decision GA/13/2023/CAI/6 approving the AMCOW Workplan and budget for the FY2023 – **see Annex 5f**.

iv As such, I have fulfilled the related specific responsibilities of the Executive Secretary as per the AMCOW Governance Framework Document. Similarly, I have satisfied my contractual obligations to the Council.

**7.1. c) *That during this same period, you tactfully planned some of the travel missions to enable you pass through Entebbe (your home city) or Dubai (where your family is staying).***

**7.1.7.** As detailed below, this is an unfounded allegation that lacks merit.

**7.1.8. Trips to Uganda:** Annex 7a shows that I have made 5 trips to Entebbe. All were work related as per the following particulars:

- i. **Annex 7d** provides information on a series of courtesy calls made on Members of the Council in February 2022. One of the Member States listed is Uganda with the objective to discuss Uganda’s statutory contributions to AMCOW. Annex 7e shows that within less than 2 months of that trip, the Honourable Minister had heeded our appeal and made a payment on 29 April 2022.
- ii. **Annex 7f** provides details on the trip to Uganda in August 2022 to obtain a visa to Sweden in relation to AMCOW’s activities at the World Water Week 2022. Applications made in Nigeria for Schengen Visas to Sweden are processed in Nairobi. This takes a minimum of 15 working days. I had statutory meetings to convene in East Africa and Central Africa for which I could not submit my passport for that period. Instead, I leveraged the Eastern Africa meeting in Addis Ababa to travel to Uganda to process the visa. The French Embassy in Uganda processes visas to Sweden.
- iii. In May 2023, I was a speaker during the opening ceremony of the High - Level Stakeholder Engagement on Transboundary Water Resources Management in Africa – **see Annex 7g**. The meeting was convened under the auspices of ANBO, which is an initiative of AMCOW, in Kampala Uganda
- iv. In June 2023, I had run out of visa pages in my passport as a result of my duties as AMCOW Executive Secretary. I thus travelled to Uganda to renew my passport – see

*Annex 7h.* The Uganda High Commission in Nigeria does not offer passport renewal as a consular service.

v. *Annex 7h1* provides information on the trip to Uganda in December 2023.

**7.1.9.** Dubai is the gateway to all continents: my trips through Dubai relate to the UN Water Conference in New York; World Water Council Board of Governors duties in Beijing, Bali and Istanbul; and engagements at COP28 in Dubai.

**7.1.10.** Any insinuation of exploiting these travel routes for personal reasons is entirely erroneous.

**7.1.11.** Furthermore, it's essential to highlight that most stopovers during my travels occur in Addis Ababa. Not in Entebbe or Dubai. Were there legitimate concerns and a genuine need for additional information on stopovers, then questions about Addis Ababa should have been raised.

**7.1.12.** I, therefore, submit that the imputation regarding my travel itineraries are baseless and fail to acknowledge the legitimate professional reasons behind each trip. My commitment to fulfilling my duties as the Executive Secretary of AMCOW remains unwavering, and all travel activities have been conducted in strict adherence to organisational protocols and with a sole focus on advancing the objectives of AMCOW.

**7.1. d) *That you change tickets frequently without regard to cost implications of such actions to AMCOW. The case in hand being one invoice received from the Travel Agent demanding payment of \$3,200 for the changing and modification of your tickets which sometimes the request for change is made after you have already checked in.***

**7.1.13.** *In Annex 7a* I provide evidence of this allegation being a gross exaggeration and misrepresentation of facts:

**7.1.14.** Out of 35 tickets issued over the period of 25 months, only 3 were re-issued. That represents less than 9% of issued tickets! By every statistical measure, changes in less than 9% of possible events is not representative of frequent change.

**7.1.15.** It is important to also highlight abrupt changes of the schedules of our political leadership are common despite confirmed appointments. As a secretary to the Council Members, it is incumbent upon me to accommodate their schedules, sometimes requiring adjustments to travel plans.

**7.1.16.** Therefore, any modifications to tickets are made in response to genuine needs and commitments, and – above all – to ensure effective engagement with stakeholders.

## 7.2. Interference in procurement process

**7.2. a) *Procurement of air tickets where you directly instruct the travel agent to issue you tickets without following through the normal procurement process of requisition to purchase order.***

**7.2.1.** This is false. I do not directly instruct the travel agent to issue tickets without adhering to the standard procurement protocol of requisition to purchase order.

**7.2.2.** All travel itineraries have to be confirmed by the travellers: a process that sometimes requires discussion of options with the agent. That is the extent of my interaction with the travel agent.

**7.2.3.** The transaction history recorded in our Oracle Netsuite ERP system should demonstrate this.

**7.2. b) *Procurement of Solar Equipment (Panels, Inverters and Batteries)-where you personally negotiated with the Dubai based supplier and had to fly to Dubai on Business Class to follow up with the supplier on the delay in shipment of the items to Abuja.***

**7.2.4.** *Annexes 7i and 7j – being email threads relating to this transaction* – demonstrate that:

- i.* the procurement process was led by the Corporate Services Officer (CSO) whose responsibilities include procurement;
- ii.* the supply agreement was negotiated by the Corporate Services Officer (CSO) and executed by the corporate services team; and,
- iii.* that all my communications with the supplier were transparently copied to the entire Corporate Services team.

**7.2.5.** Therefore, there was no interference in the procurement process. My involvement in the process was limited to resolving concerns related to: a missed delivery date; non-responsiveness of the supplier to email inquiries; and, a visa ban affecting the CSO. These concerns are elaborated below:

- i.* As we later learnt, the supplier could not deliver the items as per the schedule agreed in the supply agreement due to supply chain disruptions associated with the war in Europe.
- ii.* The supplier did not communicate this directly. Instead, they were not responsive to inquiries yet without delivering the items.
- iii.* Given that a deposit payment had already been made to the supplier, it was necessary to ascertain whether or not the supplier was facing financial difficulties and thus exposing AMCOW to the risk of losing the deposit;
- iv.* The CSO was, however, hindered from doing so due to a visa ban imposed by the UAE on Nigerians among other nationalities.
- v.* I am a resident of the UAE. As such, I travelled to Dubai in July 2023 in place of the CSO to engage with the supplier. The Secretariat only covered the cost of my ticket.

- vi. Leveraging both my rights as a resident and my familiarity with the consumer protection mechanisms in place in the UAE, I was able to resolve the matter.

7.2.6. Therefore, there was no interference in the procurement process.

### 7.3. Unilateral and irrational amendments of Fringe Benefits entitlements of the Executive Secretary

**7.3.a) That after EXCO approved the revised Staff Rules and Regulations in October 2022, you took advantage of this and proposed some amendments to your Contract as follows:**

**7.3.a) i) Moved your grade from 01 Step 5 to 02 step 2 on the pretext of aligning it to that of the AUC Salary scale while all the other staff did not benefit a similar adjustment- for example Directors at AUC are at level D1 but at AM COW they are still at P5.**

7.3.1. As demonstrated below, this insinuation is not only baseless and lacking in merit, it is also false.

7.3.2. The AMCOW President signed my appointment contract on the basis of Council Decision EO/EXCO/2/2021/WDH/7 of the 2<sup>nd</sup> Extra-Ordinary Session of the Executive Committee on 8 October 2021.

7.3.3. Council Decisions GA/10/2016/DAR/121 and EO/EXCO/2/2021/WDH/62 direct the review of the AMCOW Staff and Financial Rules and Regulations; organogram and salary structure to align them with those of the African Union Decision

7.3.4. the Advisory Committee on Administrative Policies (ACAP) – constituting of the DCS, the then acting DP, the then HR and Procurement Specialist and myself – aligned the AMCOW salary structure with that of the Commission of the African Union (AUC) using the following criteria:

- i. size of the organisation in terms of staff numbers
- ii. resources envelop and funding model, especially sufficiency of Member States' contributions to cover the core functions of the Secretariat
- iii. category and responsibilities of functions

7.3.5. **Table 4** below summarises the alignment and adjustments, clearly demonstrating that all Senior Management positions, including that of the Executive Secretary, were aligned four grades lower than the equivalent roles at the Commission of the African Union:

**Table 4: adjustments of grades at AMCOW-Sec to align with the AUC salary structure**

	Position on AMCOW Organogram	Equivalent Position and Grade at AUC	AUC Salary grade of alignment for AMCOW-Sec organogram	Scale of downgrading
1	Executive Secretary (Accounting Officer)	Chairperson (Accounting Officer) – Special 1	Director – D2	4 grades (S1, S2, S3, D2)
2	Deputy Executive Secretary	Deputy Chairperson – Special 2	Director – D1	4 grades (S2, S3, D2, D1)
3	Directors	Directors D2/D1	Coordinators/ Head of Division – P5	4/3 grades (D2, D1, P6, P5)
4	Professional staff	Professional Staff P1 – P4	Professional Staff P1 – P4	None

7.3.6. The table illustrates the falsehood of the allegations. **Table 5** below – being the AUC basic annual salary scale – gives details of the classification/levels from P1 to Special 1.

7.3.7. **As the Accounting Officer, at D2 my classification is four grades lower than that of the Accounting Officer of the Commission, whose grade is Special 1.** By contrast, at P5, **the Directors at AMCOW are 3 grades lower than Directors at the AUC headquarters** in Addis Ababa.

7.3.8. The AMCOW President on the authority of Council Decision EXCO/13/2022/WDH/93 adopting the 2022 organogram and salary structure, signed the amendment to the contract of the Executive Secretary.

**Table 5: African Union Annual Basic Salary Scale for elected officials, professional and higher category in accordance with the Executive Council decision EX.CL/Dec. 967XXXI), Addis Ababa, July 2017 effective 01 January 2018 (in United States Dollars)**

STAFF CATEGORY	CLASSIFICATION / LEVEL	STEPS										
		I	II	III	IV	V	VI	VII	VIII	IX	X	
Chairperson	Special 1	N	186 921	192 027	197 273	202 662	208 198	213 885	219 728	225 730	231 896	238 231
		O	131 901									
Deputy Chairperson	Special 2	N	165 113	169 624	174 257	179 018	183 908	188 932	194 093	199 395	204 842	210 438
		O	116 512									
Commissioners, President of the Court, CEO NPCA	Special 3	N	143 306	147 221	151 242	155 374	159 618	163 979	168 458	173 060	177 787	182 644
		O	101 123									
Director	D2	N	100 017	102 749	105 483	108 215	110 947	113 681	116 413	119 148	121 880	124 614
Director	D1	N	78 138	80 273	82 409	84 543	86 678	88 813	90 948	93 084	95 219	97 355
		O	73 646	75 658	77 671	79 682	81 694	83 707	85 719	87 733	89 745	91 757
Executive Secretary	P6	N	61 023	62 760	64 496	66 233	67 967	69 704	71 441	73 175	74 912	76 648
		O	57 515	59 152	60 788	62 425	64 059	65 696	67 333	68 968	70 605	72 241
Coordinators / Heads of Division	P5	N	50 746	52 827	54 338	55 847	57 357	58 868	60 377	61 885	63 395	64 906
		O	47 829	49 790	51 214	52 637	54 059	55 483	56 906	58 328	59 750	61 174
Principal Officers	P4	N	42 879	44 191	45 506	46 818	48 131	49 444	50 756	52 070	53 382	54 697
		O	40 413	41 650	42 889	44 126	45 364	46 601	47 838	49 076	50 313	51 552
Senior Officers	P3	N	37 453	38 595	39 737	40 877	42 019	43 159	44 301	45 441	46 583	47 725
		O	35 300	36 376	37 452	38 527	39 603	40 678	41 754	42 828	43 905	44 981
First Officer	P2	N	31 073	32 066	33 059	34 051	35 045	36 037	37 031	38 025	39 017	40 011
		O	29 287	30 222	31 159	32 093	33 030	33 965	34 902	35 839	36 774	37 711
Second Officer	P1	N	25 523	26 387	27 251	28 113	28 976	29 840	30 702	31 565	32 430	33 293
		O	24 056	24 870	25 684	26 497	27 311	28 124	28 937	29 751	30 566	31 379
<b>N = New Salary</b> <b>O = Old Salary since 2012</b>												

7.3.a) ii) *Allocated yourself a repatriation allowance of \$10,000 while all the other International Staff have an allocation of \$5,000. That this provision was made to replace the old provision of 6,000kgs of shipping allowance by Sea or 1,400kgs by air and this was applicable to all International Staff including the ES. That the segregation between the ES and all the other International Staff when this shipping allowance was monetized is therefore not justifiable*

7.3.8. Allow me to refer to the provisions of the 2017 edition of the Staff Rules and Regulations – **Annex 2e**. This is with particular reference to the claim in the allegation that **Rule 44.1 – travel on initial appointment**; and **Rule 44.3 – travel on separation** – applied to **“all international staff including the ES”**. The simple fact is that they did not apply to the Executive Secretary as I illustrate in what follows:

- i. Rule 44.1 stipulates that: *“On initial appointment, the Secretariat shall pay travel expenses/costs **of the regular staff member** and eligible dependents who have fulfilled the required conditions, from the staff member’s place of residence in the home country, place of normal residence or place from where he or she was recruited, to the official duty station. **Staff members on regular contract** shall be entitled to the transportation of their household goods and personal effects at the rate of four thousand kilograms (4,000 Kg) in sea freight or One thousand three hundred and thirty-four kilograms (1334 Kg) in air freight.”*
- ii. Rule 44.3 goes on to stipulate that: *“On separation **of regular staff members** who has served the Secretariat for more than five (5) years, the Secretariat shall pay travel expenses of the staff member and eligible dependents from the duty station to the home country or to some other place of his or her choice, provided the cost does not exceed the cost of transportation to the home country or the place of recruitment. The staff members shall be entitled to receive payment from the Secretariat for the transportation of their household goods and personal effects at the rate of six thousand Kilograms (6,000Kg) in sea freight or two thousand and four Kilograms (2,004Kg) in airfreight based on the cheapest prevailing rates of three quotations for the service.”*
- iii. Rules 44.1 and 44.3 restrict eligibility to access travel allowances on initial appointment and on separation to meeting the requirement of being **a regular staff member**.
- iv. The definitions – articulated in Regulation 1 as applicable to the 2017 edition of the staff rules and regulations – stipulate that **“Regular Staff Member”** means staff member in the service of the Secretariat for more than five (5) years consecutively.
- v. Rule 29.1 then stipulates **“Regular Appointments shall be granted to staff members recruited, on first appointment, a three-year fixed-term contract on an established structure post, the first six months of which shall be probationary period. A further renewal term every two (2) years period shall be granted provided the staff member has demonstrated his or her suitability as an international civil servant and has shown that he or she meets the highest standards of efficiency, competence and integrity through annual performance evaluation.”**
- vi. By contrast, Rule 8.1 classifies the Executive Secretary as the person appointed by the Governing Council ... to serve as the Secretary to the Council for **a four year term, subject to renewal only once**. The contract of employment of the Executive Secretary,

indeed reiterates this stipulation by being of a duration of four years subject to renewal once.

- vii. Neither by the stipulated definition of a regular staff member (Regulation 1), nor by the stipulations relating to classification of appointments [Regulation 6.5.1a) and Rule 29.1] would the Executive Secretary be eligible for travel allowances under Rule 44.1 (on initial appointment) and or Rule 44.3 (on separation). This is because:
- a On initial appointment, the Executive Secretary would not have served the Secretariat for more than 5 years consecutively, which was the threshold for one to be a regular staff member.
  - b To have a regular contract – as per rule 29.1 – the Executive Secretary would have had to be offered an initial fixed term contract of 3 years. Thereafter, renewal would be a possibility every two years indefinitely!
  - c Rule 8, however, stipulates that the Executive Secretary has to be appointed for a four-year contract term subject to renewal only once. Thus limiting the period of service of an Executive Secretary to a maximum of eight years.

**7.3.9.** The assertion that the said provisions applied to the Executive Secretary is, therefore, baseless and lacks merit.

**7.3.10.** Moreover, the contradictions in the foregoing on just the aspect of travel allowances on initial appointment and on separation underline:

- i. first, the inoperability of the 2017 edition of the Staff Rules and Regulations; and,
- ii. second – and therefore – a key element of the rationale behind their revision in 2022 to align with the proven standards set by the Commission of the African Union which is AMCOW’s anchor institution to the African Union.

**7.3.11.** Furthermore:

- i. the Preamble to the Staff Rules and Regulations, stipulates that the “... *regulations and rules shall be interpreted and **applied alongside the Headquarters Agreement**, AMCOW’s decisions, other regulations, rules and procedures, and the principles of international law.*”
- ii. According to the provisions of the Headquarters Agreement, the Executive Secretary enjoys the same protocol and privileges as the head of a diplomatic mission in Nigeria – see **Annex 7o, Article II 2. on the Judicial Personality of AMCOW.**

**7.3.12.** The official residence of the Executive Secretary is, therefore, expected to host events that further the interests of AMCOW within the diplomatic corps in Nigeria.

**7.3.13.** The requirements to furnish a premise of that stature cannot be the same as the requirements to furnish a private home of an official of the Secretariat in Groups II and III as defined by Rule 8 of the Staff Rules and Regulations.

**7.3.a)      iii)      *Riding on clause 4.1.3 of your amended Contract, you instructed the Accounts to start paying your Domestic Servant a monthly salary of N40,000(about \$30 at***

*the exchange applicable then). That Domestic Servants have been the responsibility of the ES with the previous two former ES's*

**7.3.14.** Clause 4.1 of my employment Contract categorically states that: “*A befitting, furnished, serviced apartment and transport in line with the position will be provided.*”

**7.3.15.** The hospitality industry’s definition of what amenities are included in a serviced apartment is:

- i. A serviced apartment comes fully furnished and equipped with a range of amenities. These can include housekeeping, concierge services, utilities, fitness facilities, on-site dining, and more. Serviced apartments aim to provide a hotel-like experience, ensuring convenience and comfort for guests. See : <https://homelivingmedia.com/what-is-the-difference-between-apartment-and-serviced-apartment/>

**7.3.16.** Housekeeping, which is the service offered, is included in my contract. The instructions are, therefore, consistent with fulfilment of contractual obligations.

#### **7.4. Excessive demands on the Host Country for additional support**

**7.4.1.** All ‘so-called’ facts are a deliberate misconstruction of the ongoing engagement with the Federal Ministry of Water Resources and Sanitation of the Nigeria. This is illustrated in the exchange of letters on the housing situation – **Annex 7l**; email exchanges with the CSO – **Annex 7m**; and a market survey conducted by the CSO – **Annex 7n**. In summary:

- i. There have been discussions with the Ministry to improve my living conditions. In particular this relates to raw sewerage pollution of a stream that runs less than 50m from the ES Residence.
- ii. The Ministry has been empathetic to concerns relating to exacerbating an existing health condition and given a no-objection for a search for a property in a different neighbourhood. The constraint though is that for the related financial year, the approved budget limit was nine million Naira (US \$6,950 – six thousand nine hundred fifty US dollars only). A case would, therefore, be made for additional funding for this line item in subsequent budgeting cycles to reflect current trends in Nigeria’s macroeconomics;
- iii. A market search – see **Annex 7n** – conducted by the CSO indicates that this amount is insufficient to uphold Clause 4.1 of my employment contract. To illustrate, the housing allowance offered for a private home for a professional staff of the Secretariat is nearly US \$21,000 (NGN 28 million) per annum. The ES Residence is an official premise of the Secretariat that should be suited to hosting social engagements of AMCOW.
- iv. The Ministry’s commitment to uphold the terms of the Hosting Agreement is emphasised by the reassurances offered by the Honourable Minister at a courtesy call on him when he assumed office. The Honourable Minister committed to facilitate granting of AMCOW’s application for land to construct a permanent Secretariat and official residency as per **Article III 1. of the Headquarters Agreement – see Annex 7o.**

**7.4.2.** The facts in the foregoing, which are verifiable from official correspondences and the record of the meeting with the Honourable Minister, highlight the deliberate attempt at misinformation.

**7.4.3.** The allegations are, therefore, without merit and indicate a deliberate pattern of misinformation – throughout the so-called petition – to create discord within the organs of AMCOW.

## **8. Other acts calling into question your integrity and professionalism.**

### **8.1. Mobilisation of the Host Country to support an agenda or initiative with half-baked information and ill-prepared.**

**8.1.a) i)** *The UN-Water Envoy candidacy of the former Federal Minister of Water Resources-His Excellency Engr Adam Suleman-AMCOW mobilised the Federal Republic of Nigeria through the Ministry of Water Resources and Sanitation to submit the candidacy of H.E Engr Adam Suleman to UN for the nomination as the UN-Water Envoy. The matter was taken up to the Office of the President, but AMCOW was not available to provide further technical support to the Member State to push the matter forward. It also transpired that you were mobilising the Republic of Namibia to submit the candidacy of the former AMCOW President, H.E Carl Schlettwein for the UN-Water Envoy position at the same time.*

**8.1.1.** This is a misrepresentation of facts, which are:

**8.1.2.** Through a collaborating partner, it was brought to our attention in August 2023 that there were no candidates from Africa for the position of UN Secretary’s Special Envoy on Water – **see Annex 8a**. AMCOW had mobilised signatures from 44 AU Member States for an open letter to the UN Secretary General to establish the position. And indeed, the tacit agreement had been that the Special Envoy would be from Africa.

**8.1.3.** Fearing that the Special Envoy would be announced in September 2023 at the UN General Assembly, the immediate action was for the Secretariat to contact Member States to nominate their nationals to widen the pool from which the UN Secretary General would be able to choose the Special Envoy.

**8.1.4.** There was neither an open call for nomination of candidates nor a fixed criteria against which interested candidates could apply. The simple requirement was for the individual Member States to submit a name of one of their high-profile personalities to the Office of the UN Secretary General through their Permanent Missions to the UN in New York. A Note Verbale would suffice for the nomination.

**8.1.5.** During the mobilisation campaign, it was stressed to the Member States that:

- i. that the UN Secretary General was likely to announce the Special Envoy on Water in less than 60 days during the UN General Assembly;
- ii. that Africa was yet to nominate a candidate despite a tacit agreement for the Special Envoy on Water to come from Africa;

- iii. that there was an urgent need for AU Member States to submit nominations through their Permanent Missions to the UN in New York; and,
- iv. that we lacked the time for dialogue processes to agree on a single Member State to submit a candidate. As such, as many nominations as possible would offer the UN Secretary General a diverse pool of candidates from Africa to choose from for the role.

**8.1.6.** And even to our external partners, we made no secret of the fact that we were mobilising the entire African constituency, which are the AU Member States.

**8.1.7.** To the extent that my role was to create awareness among AU Member States of the process to give Africa a chance to fill the position of UN Special Envoy on Water, I fulfilled that requirement by sharing the information widely.

**8.1.8.** I also have no recollection of not providing any additional information requested by any of the Member States during the mobilisation campaign.

**8.1 a) ii) Mobilisation on the AU Summit agenda to make the 2026 AU Summit theme on Water-again for the just ended AU and Summit, under your leadership AMCOW mobilised the Federal Republic of Nigeria to support an agenda at the Summit to make the theme for the 2026 AU Summit be on water. The request reached the Office of the President. During the Summit, you were absent, and the Host Country could not get the much-needed technical support to push the agenda forward.**

**8.1.9.** “Assuring Sustainable Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda 2063” as the theme of the African Union in 2026 was approved by African Union Executive Council Decision EX.CL/Dec.2(XLIV)Rev.1/42. This illustrates the lack of merit of these allegations, and therefore waste of the Council’s time. The additional facts are:

- i. Two months before the date of AU Summit, the Office of the Secretary General (OSG) of the Commission of the African Union (AUC) closes the process of receiving proposals from Member States.
- ii. As such, for the 37<sup>th</sup> Ordinary Session of the Assembly – which was held from 5 February 2024 – submission of proposals for agenda items closed on 4 December 2023.
- iii. In November 2023, with support from representatives of Member States including the Federal Republic of Nigeria, we initiated the process during the 5<sup>th</sup> Ordinary Session of the Specialised Technical Committee on Agriculture, Rural Development, Blue Economy, Water and Environment (STC on ARBWE). After the STC Meeting, all relevant documents and suggested text of submissions to be made to various offices including the OSG were circulated to Member States.
- iv. During the meetings of the Permanent Representatives Council (PRC), which determines the agenda of the Executive Committee and proposes the agenda of the Assembly of the Heads of State and Government, I was in Addis Ababa supporting Member States’ representatives.
- v. The de-briefing note – **Annex 8b**, circulated to all Member States after the 37<sup>th</sup> Ordinary Session of the Assembly highlights the success we achieved.
- vi. It is the first time, since 2014, that AMCOW has influenced the Decisions of a Summit of the African Union (AU). Our goal was for the Assembly to adopt “**Assuring Sustainable**

*Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda 2063*” as the theme of the African Union in 2026.

- vii. This was approved by Executive Council Decision EX.CL/Dec.2(XLIV)Rev.1/42 see Annex 1i. The stage is now set for AMCOW to present the post-2025 Africa Water Vision for consideration by the AU Assembly at its 39<sup>th</sup> Ordinary Session in February 2026.

**8.1.10.** The facts in the foregoing further highlight the deliberate pattern of misinformation of the allegations and a waste of the Council’s time. The motive would seem to be to bring discordance within the organs of AMCOW, not to mention bringing the Office of the AMCOW President into disrepute.

## **8.2. Confirming as Executive Secretary without TAC Recommendation**

### **8.3. No Performance Appraisal Report since November 2021**

**8.2.1.** These allegations are a malicious misconstruction of AMCOW’s elaborate and thorough ***bottom-up : top-down*** decision support system for monitoring and enhancing performance at a strategic level.

**8.2.2.** This system centres on capacitating the Secretariat – which I am responsible for – to deliver on AMCOW’s mission and mandate. Indeed, the terms and conditions of my service to AMCOW are set in this regard. My key performance indicators are categorised – in my employment Contract, see **Annex 7c** – into the following four areas of accountability:

- i. institutional capacity strengthening;
- ii. strategic direction and external relations;
- iii. programmatic implementation and operational leadership; and,
- iv. support the governing council for enhanced governance.

**8.2.3.** In my tenure, 25 Council Decisions have been taken to ensure effective linkage between AMCOW’s strategic direction and its operations. In **Table 6** below, I show the direct link between those decisions and delivery on my Key Performance Indicators as the Executive Secretary.

**8.2.4.** The 25 Council decisions of my tenure to date, are the result of the following cycle of AMCOW decision making processes:

- i. I am responsible for the preparation of progress reports specific to the implementation of AMCOW decisions and policy initiatives in each of the 5 sub-regions.
- ii. In consultation with the Vice TAC Chairs for each region, the progress reports are vetted by the Technical Experts Committees (TECs) for consideration by the sub-regional Ministerial Committees during our statutory sub-regional meetings;
- iii. During the same statutory sub-regional committee meetings, I facilitate engagements to solicit the guidance of the TECs for region-specific priorities to inform implementation and or formulation of continental policy initiatives and interventions.
- iv. To prepare for the meetings of the EXCO and the General Assembly, the outcomes from the statutory sub-regional meetings are collated into the annotated agenda of the ministerial sessions.

**8.2.5.** It is my responsibility to provide relevant progress, accountability, budget and resources mobilisation reports, as well as work programmes to support deliberation of items on the annotated agenda. These reports constitute supporting documents of the Secretariat performance on:

- i. on finance;
- ii. on providing political leadership and convening high-level dialogue processes at continental and global level;
- iii. coordinating partnerships for implementation of AMCOW programmes, including reporting on the Sharm el-Sheikh commitments; and
- iv. supporting the policy organs of AMCOW.

**8.2.6.** the meetings of the Technical Advisory Committee and its various sub-committees vet these performance reports for consideration by the ministerial committees.

**8.2.7.** At the meetings of the TAC, the performance of the Secretariat – in terms of finance, stakeholder engagement, providing leadership to partners and reporting – is assessed. I am responsible for the performance of the Secretariat.

**8.2.8.** The meetings of the TAC then make recommendations to the ministerial committees for decisions. The decisions of the Council taken during my tenure are summarised in **Table 6**. They are on budgets, workplans and the necessary enabling environment to both consolidate the reported achievements of the Secretariat and set the strategic direction for interventions to actualise the Africa Water Vision and other global commitments.

**8.2.9. These decisions, which are taken annually on the basis of the advice of the TAC following their assessment of related Secretariat performance reports**, are evidence that I have been appraised, at least once every year.

**8.2.10.** I am, therefore, in fulfilment of all my contractual obligations.

**Table 6: Council decisions to enhance the Secretariat’s performance on AMCOW’s mission**

	<b>Areas of Accountability</b>	<b>Related council decision taken in my tenure</b>
1	<p><b>Institutional Capacity Strengthening</b> incl :</p> <p>a. Short-term financial stability of the Secretariat ensured and the long-term financial sustainability of AMCOW assured</p> <p>b. Secretariat management policies and tools are updated and aligned with AUC operational rules and regulations</p> <p>c. Secretariat organogram updated and efforts consolidated to fully implement the organogram and assure effectiveness of the Secretariat</p>	<p>1. GA/13/2023/CAI/5; GA/13/2023/CAI/6; EXCO/13/2022/WDH/2; EXCO/13/2022/WDH/7 and EXCO/13/2022/WDH/8 on AMCOW's 3-year Work Programme 2022-2024 and the corresponding budget amounting to US \$20 million and acknowledging with appreciation the financial contributions of the Member States and various partners. Those resources have already been mobilised.</p> <p>2. EXCO/13/2022/WDH/9 adopting various management tools and mechanisms to assure improved fiduciary risk management; continuity of staffing and programme implementation; and improved staff remuneration and benefits to attract top talent.</p> <p>3. EXCO/13/2022/WDH/11 on Resource Mobilization and financial sustainability. The decision establishes a sector coordination mechanism for the alignment of Official Development Assistance objectives at continental, regional and national level to broaden and deepen the impact of water and sanitation continental policy initiatives</p> <p>4. EXCO/13/2022/WDH/14 on the Team Europe Initiative on Transboundary Water Resources Management. The initiative sets the ambition to provide long term support to assure cross-sectoral achievement of water security in Africa; the 2030 sustainable development Agenda.</p>
2	<p><b>Strategic Direction and External Relations</b>, including AMCOW's status as a convener of Africa's political leadership and facilitator of</p>	<p>1. African Union Executive Council Decision <b>EX.CL/Dec.2(XLIV)Rev.1/42</b> see Annex 1i to adopt “<b>Assuring Sustainable Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda 2063</b>” as the theme of the African Union in 2026. Other decisions include</p>

	<b>Areas of Accountability</b>	<b>Related council decision taken in my tenure</b>
3	<p>partnerships on water action revitalised</p> <p><b>Programmatic Implementation and Operational Leadership including:</b></p> <p>a. Implementation of the SOP 2020-2024 and the Institutional Strengthening Support (ISS) Project evaluated</p> <p>b. AMCOW Work Programme for 2022 - 2024, and the related funding and implementation strategy, developed and operationalised</p> <p>c. WASSMO System strengthened at Member States level and regular Commission reports on the implementation of the Sharm el-Sheikh Declaration submitted for the consideration of AMCOW EXCO and the AU Assembly</p>	<p>1.1 Decision EX.CL/Dec.2(XLIV)Rev.1/31 of the Executive Council of the African Union endorsing:</p> <p>1.1.1 the 2022 Annual Report of the Commission on the July 2008 Assembly Declaration regarding the Sharm el-Sheikh Commitments for Accelerating the Achievement of Water and Sanitation Goals in Africa, as per Assembly Decision (Assembly/AU/Decl.1 (XI)) – WASSMO report; and,</p> <p>1.1.2 the Swakopmund Declaration on “<i>Accelerated Action for Inclusive, Sustainable, Resilient and Safely Managed Sanitation and Hygiene Services Delivery in Africa</i>”.</p> <p>1.2 Decision EX.CL/Dec.2(XLIV)Rev.1/39: urging AUC to iii) develop an African Water Policy that provide a strategic framework towards inclusive and climate resilient water security in the continent; and iv) <b><u>AMCOW to further strengthen the Partners Coordination Platform (PCP)</u></b></p> <p>2. EXCO/13/2022/WDH/15 on Mobilisation in support of Proposals for the appointment of UN Special Envoy on Water</p> <p>3. EXCO/13/2022/WDH/5 and EXCO/13/2022/WDH/13 adopting Africa’s common position and key messages for global engagements including the UN Groundwater Summit and the UN 2023 Water Conference. These were based on:</p> <p>3.1 the outcomes of the 9<sup>th</sup> World Water Forum in March 2022 in Dakar, Senegal; and,</p> <p>3.2 a joint AUC-AMCOW-AfDB-UNECA coordinated Africa regional mobilisation and consultations on the mid-term review of the UN Water Action Decade 2018-2028</p> <p>4. GA/13/2023/CAI/8 on AMCOW’s Engagements at the UN 2023 Water Conference</p> <p>5. GA/13/2023/CAI/1 and EXCO/13/2022/WDH/1 on the WASSMO reports to – among others – expand partnerships and elaborate a programme to strengthen WASSMO capacity at Member States level</p> <p>6. GA/13/2023/CAI/4 on the Hosting of the AfricaSan 7 Conference.</p> <p>7. EXCO/13/2022/WDH/3 to develop the AMCOW Strategic Programme on Groundwater for Water Security and Resilience in Africa</p> <p>8. GA/13/2023/CAI/2 adopting the AfricaSan Ngor report and, in turn, setting the stage for their implementation</p> <p>9. GA/13/2023/CAI/7 on the AMCOW Strategy for Youth and Gender Inclusion (YoGI) in Africa’s Water and Sanitation Sector.</p> <p>10. EXCO/13/2022/WDH/12 on Progress in the implementation of AMCOW’s Knowledge Management and Information Sharing programme</p> <p>11. EXCO/13/2022/WDH/17 on promoting an initiative of the African Union Scientific Research and Innovation Council (AU-ASRIC) on improving water quality especially in rural settings using Moringa Sand Filter Ultra-violet (MSF-UV) hybrid technology</p> <p>12. EXCO/13/2022/WDH/18 on joint programmes between AMCOW and various partners</p>
4	<p><b>Support the Governing Council for Enhanced Governance</b>, including:</p> <p>a. Activities launched to evaluate the Africa Water Vision 2025 and formulate the post-2025 Vision</p> <p>b. An updated AMCOW Governance Framework Document presented for the consideration of the Governing Council</p> <p>c. Periodic reporting on the implementation of the AMCOW Work Programme institutionalised</p>	<p>1. EXCO/13/2022/WDH/10 adopting the 2022 AMCOW Governance Framework Document bringing the Ministers responsible for Sanitation affairs into the AMCOW Governance structures</p> <p>2. EXCO/13/2022/WDH/4 on the outcomes of AMCOW Sub-regional Ministerial/ Technical Experts Committee Meetings</p> <p>3. GA/13/2023/CAI/1 and EXCO/13/2022/WDH/1 on the WASSMO reports to implement the recommendations therein including the roadmap to formulate the post-2025 Africa Water Vision aligned to the AU Agenda 2063.</p> <p>4. GA/13/2023/CAI/2 on the 2023 Report on the implementation of the 2015 Ngor Declaration on Sanitation and Hygiene</p> <p>5. GA/13/2023/CAI/3 and EXCO/13/2022/WDH/2 on the ASPGs in Action Programme – which among others tasks the Secretariat to develop a monitoring framework to track the impact of the programme on Member States’ progress to align their sanitation and hygiene policy environments with global best practice</p>

## 8. Annex 1b - Issues from the Petition submitted by a former Staff Member-Prof Moshood

9) a) *That at one of the sub-regional meetings of AMCOW TAC Members (specifically, in East Africa) you misinformed the Regional TAC Members and made some false narratives about the non-existence and/or inactive groundwater Programme at the AMCOW Secretariat*

9.1. In a continuation of a pattern of blatant misinformation throughout this so-called petition, this allegation is similarly false – see **Annex 9a and Annex 9b**

9.2. Annex 9a – being the Aide Memoire of the Eastern Africa sub-regional meeting in 2022 – indicates that:

- i. an entire session was dedicated to appraising the Members on the APAGro Programme.
- ii. The TEC commended AMCOW's effort to progress on the initiative and specifically requested for the mapping of groundwater resources potential in Africa (Section 6.9).

9.3. As such, everything else paraded in this Annex as facts cannot be true.

## 10. CONCLUSION

10.1. In concluding my response, I state respectfully that the issues raised have not shown any misconduct on my part, or revealed any act or omission of mine, which breaches AMCOW Staff Rules and Regulations, AMCOW Governance Framework or AMCOW's Financial Rules or any other instruments which guide or govern AMCOW's policy and procedure. Given that what was shared with me was an interpretation of the alleged petitions, the facts show that the alleged petitions are completely lacking in substance or merit and can be safely disregarded.

10.2. Furthermore, and contrary to the false impression the petitions seem desperate to convey, my presence has had a positive impact on AMCOW. This is demonstrated by unprecedented funding I have mobilised for AMCOW - **\$18.3 million** USD from Development Partners and **\$1.47 million** USD from member States, in just 2 years. It is also evident from the massive increase in attendance of AMCOW's events by Ministers and representative of Member States as well as AMCOW's growing influence on AU's decision-making.

10.3. I find it troubling that despite these positive changes and important strides, which AMCOW has recorded under my leadership, some persons appear to be pursuing an agenda to ensure my removal. This may explain why the alleged petitions:

- i. breach basic procedural rules in the AMCOW SRR;
- ii. seem bereft, for the most part, of detailed facts,
- iii. are characterised by misrepresentation and untruths and
- iv. rely, in large measure, on speculation and conjecture.

10.4. Today I am ES, tomorrow it will be someone else. Article IX (5) of AMCOW Headquarters Agreement, accords the ES a status akin to that of an ambassador or other top diplomat. There is, therefore, the additional concern about setting a bad precedent:

**10.5.** Where the office of the ES can be casually undermined and the office holder, (despite being high performing) can be distracted from important work, based on empty allegations and hollow claims; and

- i. where codified rules can be circumvented, for the sake of pre-conceived outcomes without proof of any actual wrongdoing.
- ii. The costs of failing to avoid such a precedent may ultimately prove quite high.

**10.6.** A final point, worth reflecting on, is the signal this may send to Development Partners, and international funders as well as Governments across the continent and around the world. It would be unfortunate if the handling of my case, leaves the impression that AMCOW disregards or at the worst fails to grasp, the vital importance of due process and its legal safeguards.

**10.7.** I thank you, Honourable Minister, for the opportunity to respond to the issues in your letter of 26<sup>th</sup> March 2024.

**Dated this the 2nd day of April, 2024**

A handwritten signature in blue ink, appearing to read 'Sappomai', written over a horizontal line.

**AMCOW EXECUTIVE SECRETARY**